EAST WEST LINK

AMENDED DRAFT DESIGNATION AND RESOURCE CONSENT CONDITIONS

19 July 2017

NZ TRANSPORT AGENCY
WAKA KOTAHI

East West Link

Revision		
Rev. Nº	**Date**	**Description**
0	February 2017	Final draft for notification
1	12 April 2017	Annotated version for Applicant's Primary Evidence (Amendment shown in blue strike through and underline)
2	20 June 2017	Annotated version for Applicant's Rebuttal Evidence (Amendment shown in purple strike through and underline)
3	19 July 2017	Annotated version for Applicant's witness appearance (Amendment shown in green strike through and underline)

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Index of Designation and Resource Consents

The following table sets out the condition references for the designations and resource consents.

Ref	Notice of Requirement	General conditions	Reasons for suggested changes
NOR 1	Designation for construction, operation and maintenance of a State highway, being the East West Link between Onehunga and Ōtāhuhu, and associated works.	DC.1, DC.2 - DC.16~~12B~~, CS.1 - CS.6, ROS.1 - ROS.~~6~~7, NU.1 - ~~NU.4~~ NU.~~7~~11, MW.1 - ~~MW.5~~ MW.10, HH.1 - ~~HH.7~~ HH.8, LV.1 - LV.~~7~~8, TR.1 – TR.3, ON.1 – ON.14, CNV.1 – CNV.~~6~~7B~~C~~, CT.1 - ~~CT.7~~ CT.9.	**June 2017:** Cross references updated. **July 2017**: Condition references updated.
NOR 2	Alteration to SH1 Designation 6718 for maintenance, operation, use and improvement of the State Highway network.	DC.1, DC.1A, DC.2 – DC.10, DC.12, DC.16 CS.1 – CS.6, ROS.3, ROS.4, NU.1 - ~~NU.4~~ NU.~~7~~6, NU.8, NU.11 MW.1 - ~~MW.5~~ MW.~~10~~5, HH.1 – HH.4, HH.6A LV.1 – ~~LV.7~~ LV.~~8~~5, LV.6 – LV.8 TR.1 - ~~and TR.2~~ TR.3 ON.1 – ON.14, CNV.1 – CNV.~~6~~7BA, CT.1 - ~~CT.7~~ CT.9.	**June 2017:** Cross references updated. **July 2017**: Condition references updated.

Ref	Resource consents	General conditions	Specific conditions	
RC1	Land use (s9) - NES Soil	RC.1 - RC.15 (excl. RC.8B), MW.1 – ~~MW.5~~ MW.10	CL.1 – CL.~~7~~912	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated. **July 2017**: Condition references updated.
RC2	Land use (s9(2)) – Land disturbance activities	RC.1 - RC.15 (excl. RC.8B), MW.1 – ~~MW.5~~ MW.10	E.1 – E.14 EM.1 – ~~EM.12~~ EM.13	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated.
RC3	Land use (s9(2)) – Land disturbance activities	RC.1 - RC.15 (excl. RC.8B), MW.1 – ~~MW.5~~ MW.10	E.1 – E.14 EM.1 – ~~EM.12~~ EM.13	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated.

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Ref	Notice of Requirement	General conditions		Reasons for suggested changes
RC4	Land Use (s9(3)) - Vegetation alteration, removal	RC.1 - RC.15 (excl. RC.8B), MW.1 – ~~MW.5~~ MW.10	E.1 – E.14 EM.1 – ~~EM.12~~ EM.1~~3~~-14C	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated. **July 2017**: Condition references updated.
RC5	Coastal Permit (s12, s14 and s15) – Construction activities in the CMA and temporary occupation and associated discharge of contaminants	RC.1 - RC.15 (excl. RC.8B), MW.1 – ~~MW.5~~ MW.10	C.1 – C.14 D.1 – D.19 EM.1 – ~~EM.12~~ EM.1~~3~~-14C	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated. **July 2017**: Condition references updated.
RC6	Coastal Permit (s12, s14 and s15) – Construction activities in the CMA and temporary occupation and associated discharge of contaminants	RC.1 - RC.15 (excl. RC.8B), MW.1 – ~~MW.5~~ MW.10	C.1 – C.14, EM.1-EM.7 (Excl. EM.1A)	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated.
RC7	Water Permit (s13 and s14) - Works in watercourses and associated diversion activities	RC.1 - RC.15 (excl. RC.8B), MW.1 – ~~MW.5~~ MW.10	WW.1 – WW.10	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated.
RC8	Water Permit (s14) - Drilling of holes	RC.1 - RC.15 (excl. RC.8B), MW.1 – ~~MW.5~~ MW.10	N/A	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated.
RC9	Water Permit (s14) - Groundwater diversion and take	RC.1 - RC.15 (excl. RC.8B), MW.1 – ~~MW.5~~ MW.10	G.1 – G.7	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated.
RC10	Discharge Permit (s15) - Discharge of contaminants into air or into or onto land or water	RC.1 - RC.15 (excl. RC.8B), MW.1 – ~~MW.5~~ MW.10	AQ.1-AQ.4	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated.
RC11	Discharge Permit (s15) - Discharge of contaminants into air or into or onto land or water	RC.1 - RC.15, MW.1 – ~~MW.5~~ MW.10	CL.1 – CL.~~7~~9 AQ.1 – AQ.4	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated.
RC12	Discharge Permit (s15) - Air Discharges	RC.1 - RC.15 (excl. RC.8B), MW.1 – ~~MW.5~~ MW.10	CB.1 - CB.7	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated.
RC13	Activities on new land to be created (s9 and s89)	RC.8B	-	**June 2017:** Reference to condition setting out the duration of consent.
RC14	Coastal Permit (s12) – Occupation and associated use	RC.8B	C.15	**June 2017:** Reference to condition setting out the duration of consent.
RC15	Coastal Permit (s12) – Occupation and associated use	RC.8B	C.15	**June 2017:** Reference to condition setting out the duration of consent.

Ref	Notice of Requirement	General conditions		Reasons for suggested changes
RC16	Water Permit (s13 and s14) - Works in watercourses and associated diversion activities	RC.1 - RC.15 (excl. RC.8B), MW.1 – ~~MW.5~~ MW.10	WW.1 - WW.10	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated.
RC17	Water Permit (s14) - Groundwater diversion and take	RC.8B	G.1 - G.7	**June 2017:** Reference to condition setting out the duration of consent.
RC18	Water Permit (s14) - Permanent damming of surface water	RC.8B	-	**June 2017:** Reference to condition setting out the duration of consent.
RC19	Discharge Permit (s15) - Discharge of contaminants into or onto land or water	RC.8B	L.1 and L.2	**June 2017:** Reference to condition setting out the duration of consent.
RC20	Discharge permit (s15) – Discharge of stormwater	RC.8B	SW.1 – SW.17	**June 2017:** Reference to condition setting out the duration of consent.
RC21	Land Use (s9(2)) – Impervious surfaces	RC.8B	SW.1 – SW.17	**June 2017:** Reference to condition setting out the duration of consent.
M-RC1	Miami Stream: Land use (s9(3)) – land disturbance, and associated discharges	RC.1 - RC.15 (excl. RC.8B), MW.1 – ~~MW.5~~ MW.10	E.1 – E.14 EM.1 – ~~EM.12~~ EM.13~~14C~~	**June 2017:** Reference to condition setting out the duration of consent. Cross references updated. **July 2017**: Condition references updated.
M-RC2	Miami Stream: Land use (s9(3)) – stormwater	RC.8B	-	**June 2017:** Reference to condition setting out the duration of consent.

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Designation Conditions

Guide to Reading the Designation Conditions

The proposed designation conditions are numbered as follows:

Set of proposed conditions	Numbering format	Reasons for suggested changes
General Designation Conditions	DC	
Communication and Social	CS	
Recreation and Open Space	ROS	
Network Utilities	NU	
Mana Whenua Collaboration	MW	
Historic Heritage	HH	
Urban Design, Landscape and Visual	LV	
Trees	TR	
Traffic Noise (Operation)	ON	
Construction Noise and Vibration	CNV	
Construction Traffic	CT	

Designation Conditions – Definitions

The table below defines the acronyms and terms used in the conditions. Defined terms are capitalised throughout the conditions.

Acronym/term	Definition	Reasons for suggested changes
AMETI	Auckland Manukau Eastern Transport Initiative	**June 2017:** Definition added as AMETI referred to in conditions.
Anns Creek East Construction Restriction Area	The area of land shown on the drawing titled *Anns Creek East Construction Restriction Area*, dated April 2017.	**April 17:** Definition added to clarify extent of area referred to in Condition DC.11A.
Application	The Notices of Requirement dated December 2016 and supporting information dated November and December 2016.	
AUP	Auckland Unitary Plan Operative in Part (Updated 23 May 2017).	**June 2017:** Definition added as AUP referred to in conditions.
BPO or Best Practicable Option	Has the same meaning as in section 2 of the Resource Management Act 1991.	**June 2017:** Definition added to assist in reading the conditions.
Enabling Works	Includes the following and similar activities: • Demolition and removal of buildings and structures; • Relocation of underground and overhead services; and • The establishment of site entrances and fencing.	**April 17:** Minor correction to punctuation.

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Construction Works	One or more of the various activities undertaken in relation to construction of the Project under this designation.	
Commencement of Construction	The time when Construction Works (excluding Site Investigations and Enabling Works) commence.	
Completion of Construction	When construction of the Project (or part of the Project) is complete and is available for use.	
Council	Auckland Council	
East West Link or EWL	East West Link Project being the construction, operation and maintenance of a new State highway and associated works between State Highway 2- (SH20) in Onehunga , and State Highway 1 (SH1) in Mt Wellington (the East West Link Main Alignment), and associated works on SH1 between Mt Wellington and the Ōtāhuhu Interchange at Princes Street.	**June 2017:** Amendment to expand the Project definition.
EWL Land Bridge	The cover of the EWL Trench which provides a local road connection from the southern and northern sides of East West Link at Onehunga Harbour Road.	**June 2017:** Definition added for clarification as EWL Land Bridge is referred to in conditions.
EWL Main Alignment	The four land arterial road between the existing State Highway 20 (SH20) Neilson Street Interchange in Onehunga and State Highway 1 (SH1) at Mt Wellington.	**June 2017:** Definition added for clarification as EWL Main Alignment is referred to in conditions.
EWL Trench	The lowered portion of the East West Link Main Alignment between the SH20 Neilson Street offramp and the SH20 Manukau Harbour ~~Crossing~~ Bridge.	**June 201717:** Definition added for clarification as EWL Trench is referred to in conditions. **July 2017**: Minor change.
Heritage New Zealand Pouhere Taonga Act 2014	The Act to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand.	**April 2017:** Definition added at the request of HNZPT during post lodgement discussions.
HNZPT	Heritage New Zealand Pouhere Taonga	
Manager	The Manager – Resource Consents, ~~Team Manager, Major Infrastructure Projects~~ of the Auckland Council, or authorised delegate.	**July 2017:** Change to reflect the relevant Auckland Council manager.
Mana Whenua Group	The group established under Condition MW.1.	
NoR	Notice of Requirement	
Operation/Operational	When construction of the Project is complete and the State highway is open to traffic.	
Outline Plan	An outline plan prepared in accordance with section 176A of the RMA.	
PPF	Protected Premises and Facilities.	
Project	The construction, maintenance and operation of the East West Link Project and associated works.	
Requiring Authority	The New Zealand Transport Agency.	
RMA	Resource Management Act 1991.	
Road Controlling Authority	Has the same meaning as under section 2 of the Land Transport Act 1998.	

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Site Investigations	Includes geotechnical investigations (outside the Auckland Unitary Plan (Operative in Part) Historic Heritage Overlay Extent of Place), identifying service locations, surveys, monitoring activities, surveys and other similar activities.	**June 2017:** Amendment to use the overlay title from the AUP.
Southdown Site	The facilities located at Lot 1 DP 178192 and Lot 2 DP 178192 comprising the Southdown Power Station, 11kV switchroom and high voltage equipment, energy storage technology, Transpower control and relay room and Transpower 220kV substation, and the Southdown Solar Research and Development Centre.	**June 2017:** Definition added in response to the evidence of Mr Grala (Mercury). This definition assists in reading of the NU conditions.
Southdown Rail Supply Substation	The transformer, switchgear and associated cabling servicing the Auckland rail network and shown on the plan titled *"Transpower New Zealand - East-West Connection Southdown Substation"*, dated 9 May 2017.	**June 2017:** Definition added in response to the evidence of Mr Horne (Transpower). This definition assists in reading of the NU conditions.
Suitably ~~q~~Qualified ~~p~~Person	A person: • With a recognised qualification in the subject matter of the condition; or • With recognised experience in the subject matter of the condition; or • Is a member of relevant professional body for the subject matter of the condition.	**July 2017**: Minor change.
Working Day	Has the same meaning as under section 2 of the Resource Management Act 1991.	

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Designation Conditions

Ref	Applies to:	Condition	Reasons for suggested changes
General Designation Conditions (DC)			
DC.1	NoR 1 NoR 2	Except as modified by the conditions below, and subject to final design, the Project shall be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement dated December 2016, and in particular, the following supporting documents: (a) Part D: Description of the Project in Volume 1: Assessment of Effects on the Environment Report dated December 2016; (b) The following plan sets in Volume 2: Drawing Set: i) Plan Set 3: Road Alignment ii) Plan Set 4: Landscape iii) Plan Set 6: Plan and Long Section iv) Plan Set 7: Typical Cross Section v) Plan Set 8: Structural vi) Plan Set 12: Utilities Relocation (c) The Key Design Principles and Sector Outcomes of the Project's Urban and Landscape Design Framework dated November 2016 and Addendum dated December 2016. (d) The Draft Construction Traffic Management Plan Framework.	
DC.1A	NoR 2	These conditions only apply to Construction W~~w~~orks ~~and land~~ described in the Notice of Requirement to Alter Designation 6718 (NoR 2) dated December 2016 and include Construction Works on land within the existing designation for SH1 between approximately Clemow Drive and the location where Trenwith Street passes under SH1.	**April 2017:** Text amended to address Paragraph 126 of the Auckland Council Key Issues Report.
DC.2	NoR 1 NoR 2	Except where explicitly provided for, the construction related conditions of this designation do not apply to works associated with on-going operation and maintenance of the State highway following construction, such as changes to street furniture or signage over time. The provisions of Section 176A of the RMA apply to on-going operation, maintenance or other works within the designation.	
DC.3	NoR 1 NoR 2	The Project website shall include these conditions and the plans and reports referred to in these conditions prior to and throughout Construction Works, and a hard copy shall be available at the Project site office(s).	

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Ref	Applies to:	Condition	Reasons for suggested changes
DC.4	NoR 1 NoR 2	Where there is inconsistency between: (a) The documents listed in Condition DC.1 above and the requirements of these conditions, these conditions shall prevail; (b) The information and plans lodged with the NoR and further information provided post lodgement, the most recent information and plans shall prevail; and (c) The draft management plans and/or management plan frameworks lodged with the NoR and the management plans required by the conditions of this designation and submitted through the Outline Plan process, the requirements of the management plans as set out in the relevant conditions shall prevail.	
DC.5	NoR 1 NoR 2	As soon as practicable following Completion of Construction, the Requiring Authority shall: (a) Review the extent of the area designated for the Project; (b) In consultation with the relevant landowners, i~~I~~dentify any areas of designated land that are no longer necessary for the on-going operation, maintenance or mitigation of effects of the Project. For the avoidance of doubt, this shall include the designated land on the Onehunga Wharf to the south of the EWL Trench and shared path; ~~and~~ (c) Identify any areas of designated land that apply to local roads to be vested in Auckland Council; and ~~(c)~~(d) Give notice to the ~~Council~~ Manager in accordance with section 182 of the RMA for the removal of those parts of the designation identified in (b) and (c) above.	**April 2017:** Change to respond to submission by Auckland Transport (Submission 126354). **June 2017:** DC.5(b) amended to provide for landowner involvement in response to evidence by Mr Grala for Mercury. **July 2017:** Amendment to reflect Board discussion on the long term ownership of the Onehunga Wharf.
DC.6	NoR 1 NoR 2	The designation shall lapse if not given effect to within 15 years from the date on which it is included in the Auckland Unitary Plan under section 175 of the RMA.	
Outline Plan(s) - General			
DC.7	NoR 1 NoR 2	An Outline Plan or Plans shall be prepared in accordance with section 176A of the RMA.	
DC.8	NoR 1 NoR 2	Any Outline Plan or Plans may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) or to reflect the staged implementation of the Project.	
DC.9	NoR 1 NoR 2	The Outline Plan or Plans shall include the following plans for the relevant stage(s) of the Project: (a) Construction Noise and Vibration Management Plan (CNVMP) prepared in accordance with Condition CNV.1; (b) Construction Traffic Management Plan (CTMP) in accordance with Condition CT.1;	

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Ref	Applies to:	Condition	Reasons for suggested changes
		(c) Heritage Management Plan (HMP) in accordance with Condition HH.3; and (d) Urban and Landscape Design Master Plan (ULDMP) in accordance with Condition LV.1.	
DC.10	NoR 1 NoR 2	The CNVMP, CTMP, HMP and ULDMP may be amended following submission of the Outline Plan(s) if necessary to reflect any changes in design, construction methods or management of effects. Any amendments are to be discussed with and submitted to the Manager for information without the need for a further Outline Plan process, unless those amendments once implemented would result in a materially different outcome to that described in the original plan.	
DC.11	NoR 1	As part of the Outline Plan(s) prepared under section 176A of the RMA, the Requiring Authority shall demonstrate how the following outcomes will be achieved for the relevant stage of the Project for which the Outline Plan has been submitted: (a) A local road connection linking Orpheus Drive and Onehunga Harbour Road including two traffic lanes (one in each direction), pedestrian access on both sides including a 3m (minimum) shared pedestrian and cycle path on one side; (b) A shared pedestrian and cycle path connection between Orpheus Drive and the proposed new Old Māngere Bridge, providing a linkage ~~to and~~ from Taumanu Reserve to Onehunga Wharf, with design details as set out in Condition LV.5D; (c) Provision for access achieving all movements for all road legal vehicles between the local road and Onehunga Wharf; (~~c~~d) A high quality pedestrian and cycle connection providing a linkage along Onehunga Mall to and from Onehunga Town Centre; ~~(c)~~(e) Replacement of on-street carparks removed outside The Landing with the same number of carparks in reasonable proximity; (f) Provision for safe right turn movement westbound from Neilson Street into Onehunga Mall~~.~~; ~~and~~ ~~(d)~~(g) Operation of clearways, in the morning and evening peaks, to provide on-street parking on Captain Springs Road (south of Neilson Street) in off-peak times; ~~(e)~~(h) Provision for safe turning of large vehicles and a separate public parking area at the southern end of Hugo Johnston Drive; ~~and~~ (i) Separation of pedestrian and cycle facilities from general traffic on the EWL Main Alignment; ~~(h)~~(j) Provision for pedestrians and cycle~~i~~ists access from the EWL Main Alignment into Sylvia Park Town Centre, in coordination with the requirement for not precluding the multi-modal link road in Condition DC.12A~~11n)(ii~~); ~~(k) Provision for right of way access from 430 Mt Wellington Highway (Lot 1 DP 188694) across:~~	**April 2017:** Amendments to Clause (b) to respond to community submissions on connectivity between Onehunga town centre and Taumanu Reserve and to reflect the social impact evidence of Ms Linzey. New Clause (c) to reflect the social impact evidence of Ms Linzey and the walking and cycling evidence of Mr Murray. New Clause (h) to respond to submission by Auckland Transport (Submission 126354). Consequential renumbering of clauses. **June 2017:** Amendment to DC.11(b) to reflect the outcomes of expert conferencing for the Neilson Street Area. New DC.11(c) added in response to the evidence of Mr Arbuthnot on behalf of Ports of Auckland. Amendment to Condition DC.11(h) in response to the evidence of Mr McIndoe on behalf of Auckland Council. New DC.11(i) added in response to the evidence of Mr Winter on behalf of Auckland Transport. Amendment to DC.11(j) added in response to the evidence of Mr Winter on behalf of Auckland Transport. New Condition DC.11(k) added in response to the evidence of Mr McGarr for Jaafar Holdings Limited and Mt Wellington Highway Limited. New Condition DC.11(l) added in response to the evidence of Mr Winter on behalf of Auckland Transport. **July 2017:** Cross reference in Clause (j) corrected. Clause (k) deleted as this matter is now addressed in separate Condition DC.16 in response to legal submission from Jaafar Holdings Limited.

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Ref	Applies to:	Condition	Reasons for suggested changes
		~~(i) The State highway designated area under the overpasses which pass over that site to allow access from Auckland Transport proposed AMETI corridor to that site; and~~ ~~(ii) The 5m wide State highway designation along the Mt Wellington Highway road frontage;~~ (~~l~~k) High quality pedestrian and cycle facilities across the Princes Street Interchange, providing appropriate protection between pedestrian/-cycle facilities and general traffic and consideration of how the Interchange cycle facilities can integrate with the local road network, particularly Luke Street, Todd Place and Avenue Road.	
~~**DC.11A**~~	~~NoR 1~~	~~As part of the Outline Plan prepared under section 176A of the RMA for the area within the Anns Creek Construction Restriction Area, the Requiring Authority shall include details of how the design has:~~ ~~(a) Aligned permanent transport infrastructure (road, pedestrian and cycle facilities) to the northern-most extent of the Restriction Area as far as practicable;~~ ~~(b) Avoided the placement of temporary and permanent piers;~~ ~~(c) Avoided earthworks and vegetation removal that directly impacts on lava shrubland and lava outcrops, and minimise any vegetation alteration; and~~ ~~(d) Minimised the footprint of temporary works required for construction of permanent works.~~ ~~For the avoidance of doubt, activities which may be undertaken within the Anns Creek East Construction Restriction Area include weed removal, pest plant and animal management, geological heritage restoration, restoration planting, interpretative signage relating to cultural, ecological and geological heritage, protective fencing, and associated earthworks to undertake those activities.~~	**April 2017:** Change to reflect new Condition EM.1A (Anns Creek East Construction Restriction Area) which has been added to the resource consents. **July 2017:** This condition has been relocated to become Condition DC.15.
DC.12	NoR 1 NoR 2	~~Where local roads will be affected by Construction Works, t~~The Requiring Authority shall consult with Auckland Transport during the preparation of the Outline Plan(s) in relation to: (i) Local roads, including walking and cycle~~e~~ing and public transport facilities, and other interfaces between the State highway and local roading networks; and (ii) ~~Interfaces with~~The proposed Auckland ~~t~~Transport projects identified in Condition DC.12A~~B~~. The Outline Plan(s) shall detail ~~describe how~~ the input and comments from Auckland Transport, describe how this has been incorporated into the design and, where any input has not been incorporated, set out the reason why. ~~The Requiring Authority shall consider any comments received from Auckland Transport, and shall include a summary of those comments and the responses in the Outline Plan(s).~~	**April 2017:** Change to respond to submission by Auckland Transport (Submission 126354). **June 2017:** Amendments to DC.12(i) to address the matters raised in evidence of Mr Winter on behalf of Auckland Transport. Amendments to DC.12(ii) to address the matters raised in evidence of Mr Winter on behalf of Auckland Transport. Amendments to the last paragraph of DC.12 to address the matters raised in evidence of Mr Winter on behalf of Auckland Transport. **July 2017:** Cross reference corrected in clause (ii).
DC.12A	NoR 1	As part of the Outline Plan(s) prepared under section 176A of the RMA, the Requiring Authority shall demonstrate how the following proposed transport	**June 2017:**

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Ref	Applies to:	Condition	Reasons for suggested changes
		projects are not precluded, and where practicable, are accommodated by the Project: i) A future Mass Rapid Transit connection to the Auckland International Airport, and in particular ensuring as a minimum the preferred alignment identified in the South-West Multi-Modal Airport Rapid Transit Draft Indicative Business Case is provided for by the Project; ii) A future multi-modal link road to the Sylvia Park Town Centre as part of the AMETI programme, in particular ensuring that the location of piers does not preclude the alignment and any of the proposed modes; and iii) Future potential improvements to rail at the Westfield Junction including provision for grade-separation and a new north-facing connection between the North Island Main Trunk and the North Auckland Line, and additional lines for freight.	New Condition added in response to the evidence of Mr Winter on behalf of Auckland Transport.
Outline Plan(s) – Special Conditions			
DC.13	NoR1	Placeholder	
~~**DC.12B**~~ **DC.14A**	NoR 1	As part of the Outline Plan prepared under Section 176A of the RMA for the area adjacent to the **Southdown Site**, the Requiring Authority shall include: (a) An assessment of the risks associated with construction and operation of the Project in relation to electricity infrastructure activities authorised at the Southdown Site. The risk assessment shall be undertaken in collaboration with Mercury, KiwiRail, Auckland Transport, Transpower and First Gas; (b) Details of the design features or other steps taken to manage risk associated with operations at the Southdown Site to an acceptable level on people using the EWL; (c) Details of the design features or other steps taken to manage risk associated with construction and operation of the EWL to an acceptable level on people at the Southdown Site; (d) Details of the design in relation to Gas Engine Turbine 105 (GE105), which shall include a minimum 7m separation distance between GE105 and any new structure associated with EWL, unless otherwise agreed between the ~~site~~ landowner and the Requiring Authority; (e) Details of the design in relation to any other assets to be retained or relocated within the designated land at~~h~~ the Southdown Site; and (f) Confirmation from a ~~s~~Suitably ~~q~~Qualified ~~p~~Person that the design details in (b) to (e) above, are appropriate.	**June 2017:** New condition added in response to the evidence of Mr Grala on behalf of Mercury. **July 2017:** Minor correction to Clause (e). Minor correction to reference a defined term in Clause (g). Clauses (a) to (c) are under review pending the outcomes of expert conferencing.
DC.14B	NoR1	The viaduct over the Southdown Site shall be constructed so that the northern edge of the structure is no further north than the road alignment shown on the drawings listed in Condition DC.1 and referred to in Condition DC.4, unless otherwise agreed between the landowner and the Requiring Authority.	**July 2017:** Clause (a) added to respond to concerns from Mercury Limited that the road related structures on the Southdown Site could move further north within the designation.

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Ref	Applies to:	Condition	Reasons for suggested changes
DC.14C	NoR1	The Requiring Authority shall not commence any Enabling Works or Construction Works on the Southdown Site until: (a) Agreement has been reached with the landowner on the details set out in DC.14A (e) and (f) above, and the details of any directly associated works to be undertaken on the balance of the Southdown Site outside of the designated land; (b) Any required resource consents or other statutory approvals have been granted for any directly associated works to be undertaken on the balance of the Southdown Site outside of the designated land; and (c) Any variations to existing resource consents for operational activities at the Southdown Site, which are required as a direct result of the Construction Works to be undertaken in the designated land, have been granted.	**July 2017:** New condition to respond to concerns of Mercury Limited.
	NoR1	***Advice Note:*** *For the avoidance of doubt, the landowner referred to in Conditions DC.14A - 14.B is the owner of that part of the Southdown Site which is outside of the designated land.*	**July 2017:** New advice note to clarify which landowner is being referred to in the conditions as the Transport Agency will likely become the owner of land within the designation..
~~**DC.11A**~~ **DC.15**	NoR 1	As part of the Outline Plan prepared under section 176A of the RMA for the area within the **Anns Creek Construction Restriction Area**, the Requiring Authority shall include details of how the design has: (a) Aligned permanent transport infrastructure (road, pedestrian and cycle facilities) to the northern-most extent of the Restriction Area as far as practicable; (b) Avoided the placement of temporary and permanent piers; (c) Avoided earthworks and vegetation removal that directly impacts on lava shrubland and lava outcrops, and minimise any vegetation alteration; and (d) Minimised the footprint of temporary works required for construction of permanent works. For the avoidance of doubt, only the following activities ~~which~~ may be undertaken within the Anns Creek East Construction Restriction Area: ~~include~~ weed removal, pest plant and animal management, geological heritage restoration, restoration planting, interpretative signage relating to cultural, ecological and geological heritage, protective fencing, and associated earthworks to undertake those activities.	**April 2017:** Change to reflect new Condition EM.1A (Anns Creek East Construction Restriction Area) which has been added to the resource consents.
DC.16	NoR1	(a) The Requiring Authority shall consult with the owner of the land at **430 Mt Wellington Highway** (Lot 1 DP 188694) during preparation of the Outline Plan in relation to the location and design of vehicular access to and from the site to Mt Wellington Highway and the proposed Auckland Transport AMETI corridor. (b) As part of the Outline Plan prepared under section 176A of the RMA, the Requiring Authority shall demonstrate how the following outcomes will be achieved:	**July 2017:** Condition added following discussion with Jaafar Holdings regarding access to the site at 430 Mt Wellington Highway.

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Ref	Applies to:	Condition	Reasons for suggested changes
		(i) Vehicular access from the land under the proposed EWL to SH1 ramps, to the boundary of the proposed Auckland Transport AMETI corridor; and (ii) Vehicular access from the land to Mt Wellington Highway. (c) The Outline Plan shall detail the input and comments from the land owner, describe how this has been incorporated into the design and, where any input has not been incorporated, set out the reason why.	
Communication and Social (CS)			
Liaison person			
CS.1	NoR 1 NoR 2	A Project Liaison Person shall be appointed by the Requiring Authority for the duration of the construction phase of the Project to be the main and readily accessible point of contact for persons affected by Construction Works. The Requiring Authority shall take appropriate steps to advise all affected parties of the liaison person's contact details. This person must be reasonably available for on-going consultation on matters of concern to affected persons arising from Construction Works. If the liaison person will not be available for any reason, an alternative contact shall be provided, to ensure that a Project contact person is available by telephone 24 hours per day/seven days per week during the construction phase of the Project. The Requiring Authority shall inform the Manager of the Project Liaison Person's contact details 20 working days prior to the Commencement of Construction and/or Enabling Works for the Project.	
Communications Plan			
CS.2	NoR 1 NoR 2	Prior to the Commencement of Construction and/or Enabling Works, the Requiring Authority shall prepare and implement a **Communications Plan.** The purpose of the plan is to set out procedures detailing how the public, stakeholders, businesses and residents will be communicated with throughout the pre-construction and construction phases of the Project. As a minimum, the Communications Plan shall include: (a) Details of the Project Liaison Person (Condition CS.1). The contact details shall be on the Project website and prominently displayed at the entrance to the site(s) so that they are clearly visible to the public at all times; (b) A list of stakeholders, organisations, businesses and residents who will be communicated with; (c) Methods to consult on and to communicate the proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding businesses and residential communities, and methods to deal with concerns raised about such hours;	**April 2017:** New Clause to respond to submission by Auckland Council (Submission 126336). **July 2017:** New Clause (f)(ii) to provide for community open days or similar during construction.

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Ref	Applies to:	Condition	Reasons for suggested changes
		(d) Methods to record concerns raised about hours of construction activities and methods to avoid particular times of day which have been identified as being particularly sensitive for neighbours; (e) Any stakeholder specific communication plans required; (f) Details of communications activities proposed including: i) Publication of newsletters, or similar, and proposed delivery areas; ii) Information days, open days or other mechanisms to facilitate community engagement; iii) Newspaper advertising; iv) Notification and consultation with business owners and operators and individual property owners and occupiers with premises/dwellings within 100 metres of active construction; v) Identify processes, mechanisms and / or specific methods to facilitate two-way communication with those with impairments or for those for whom English is a second language. (g) Details of the Project website; (h) Linkages and cross-references to communication methods set out in other conditions and management plans where relevant; and (i) Details of when the Plan will be reviewed and amended. The Communications Plan shall be provided to the Manager for information 20 working days prior to Commencement of Construction and following any material amendments of the Plan.	
Community Liaison Groups			
CS.3	NoR 1 NoR 2	(a) The Requiring Authority shall establish and co-ordinate a Community Liaison Group (CLG) in each of the following areas at least 3 months prior to the Commencement of Construction in each of those areas: i) Onehunga and Penrose including the Onehunga Harbour Road residential area and Māngere Bridge; and ii) State Highway 1 including the Ōtāhuhu and Panama Road residential areas. (b) The purpose of the CLG is to provide a means for: i) Sharing information on design, construction works and programme; ii) Reporting and responding to concerns and issues raised in relation to Ceonstruction Works; and iii) Monitoring the effects on the community arising from Construction Works in these areas. (c) The Requiring Authority shall assist the CLG to hold regular meetings (at least once every three months) throughout the construction period in these areas. The CLG shall continue until six months after Completion of Construction so that on-going monitoring information can continue to be shared, discussed and responded to. The frequency and duration of the	**April 2017:** Change to Clauses (a)(i) and new Clause (d)(x) respond to submission by the Ministry of Education (Submission 126360). New Clause (d)(vi) added to respond to submission by the Bike Auckland (Submission 126253). Change to Clause (d) introductory text to clarify that a member of each organisation will be invited to attend the CLG. .

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Ref	Applies to:	Condition	Reasons for suggested changes
		meetings can be reduced where the majority of the members of the group agree. (d) In addition to the Project Liaison Person and representative(s) of the Requiring Authority and its principal construction contractor, membership of the CLG shall be open to all interested parties within the Project area including, but not limited to representatives of the following groups: i) Council, Auckland Transport and other Council Controlled Organisation; ii) Department of Conservation; iii) Mana Whenua; iv) Business groups; v) Community/environmental groups; vi) Transport user groups; ~~vi)~~vii) Local Boards; ~~vii)~~viii) Local residents and business owners/operators; ~~and~~ ~~viii)~~ix) Representatives from those organisations identified in the Communications Plan (as required by Condition CS.2)~~.~~; and x) Ministry of Education. (e) The Requiring Authority shall prepare an agenda for each meeting and prepare minutes recording actions. A copy of the minutes shall be provided to the meeting invitees within a reasonable time following the meeting. (f) The Requiring Authority shall be responsible for all reasonable costs associated with resourcing of the CLGs.	
Business Forums			
CS.4	NoR 1 NoR 2	(a) The Requiring Authority shall establish and coordinate **Business Forums** in each of the following industrial/commercial areas, or a combined Business Forum in two or more of those areas, at least 3 months prior to Commencement of Construction in those areas: i) Onehunga (including businesses on Neilson Street (east), Onehunga Mall, Onehunga Harbour Road, Galway Street and Gloucester Park Road); ii) Onehunga Industrial (including businesses on Neilson Street (west), Captain Springs Road, Miami Parade and Hugo Johnston Drive); iii) Sylvia Park Road (including Pacific Rise, Great South Road and Vestey Drive); and iv) SH1 (including Vestey Drive, Monahan Road and Clemow Drive). (b) In addition to the Project Liaison Person and representative(s) of the Requiring Authority and its principal construction contractor, membership of the Business Forum(s) shall be open to all interested parties within the	**July 2017:** Amendments include parties to be consulted and further detail of matters to be addressed by the Business Forums.

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Ref	Applies to:	Condition	Reasons for suggested changes
		Project area including, but not limited to representatives of the following groups: i) Business owners; ii) Land owners; iii) Business groups including the Onehunga Business Association; iv) Road carriers / freight operators in the area; and v) Auckland Transport; (c) The purpose of the Business Forums is to provide a forum for: i) Sharing information on the construction works and programme and planned business and community activities; ii) Reporting and responding to concerns and issues raised in relation to Construction Works; and iii) Monitoring the effects on the business community arising from Construction Works in these areas. (d) The Requiring Authority shall assist the Business Forum(s) to hold regular meetings (at least once every three months) throughout the construction period in these areas. The Business Forum(s) shall continue until six months after Completion of Construction so that on-going monitoring information can continue to be shared, discussed and responded to. The frequency and duration of the forums can be reduced where the majority of the members of the group agree. (e) In addition to the general purpose set out in (b) above, the matters to be considered by the Business Forums may include, but are not limited to, the following matters: i) The timing of construction activities including consideration of specific operational requirements for businesses; ii) Temporary traffic management including closures, detours, parking restrictions and signage; and iii) Alternative access to and from businesses during construction. (f) The Requiring Authority shall prepare an agenda for each meeting and prepare minutes recording actions. A copy of the minutes shall be provided to the meeting invitees within a reasonable time following the meeting. (g) The Requiring Authority shall be responsible for all reasonable costs associated with the resourcing of the Business Forum.	
Complaints Management			
CS.5	NoR 1 NoR 2	At all times during Construction Works, the Requiring Authority shall maintain a record of any complaints received in relation to the Construction Works. The record shall include: (a) The name and address (as far as practicable) of the complainant;	**July 2017:** Amendment to provide additional clarity.

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Ref	Applies to:	Condition	Reasons for suggested changes
		(b) Identification of the nature of the complaint; (c) Location, date and time of the complaint and of the alleged event giving rise to the complaint; (d) The weather conditions at the time of the complaint (as far as practicable), and including wind direction and approximate wind speed if the complaint relates to air quality or noise. (e) The outcome of the Requiring Authority's investigation into the complaint; (f) Measures taken by the Requiring Authority to respond to the complaint or confirmation of no action if deemed appropriate; (g) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally; and (h) The response provided to the complainant. The Requiring Authority shall also keep a record of any remedial actions undertaken. The complaints record shall be made available to the Manager upon request.	
CS.6	NoR 1 NoR 2	The Requiring Authority shall respond to a complaint related to Construction Works as soon as reasonably practicable and as appropriate to the circumstances.	
Recreation and Open Space (ROS)			
Aotea Sea Scouts Activities			
ROS.1	NoR 1	The Requiring Authority shall offer to temporarily relocate the Aotea Sea Scouts activities located at Onehunga Harbour Road for the duration of Construction Works adjacent to the Aotea Sea Scouts Hall. The offer shall be made no later than 3 months prior to Commencement of Construction on Onehunga Harbour Road adjacent to the Aotea Sea Scout Hall. The offer shall remain valid until 3 months after the Commencement of Construction on Onehunga Harbor Road adjacent to the existing Aotea Sea Scouts Hall. If the offer is not accepted within that timeframe, the Requiring Authority is not required to temporarily relocate the Aotea Sea Scouts activities. The offer shall include as a minimum: (a) Relocation of the activities at least 20 working days prior to Commencement of Construction on Onehunga Harbour Road adjacent to the existing Aotea Sea Scouts Hall; (b) Relocation of the activities until Completion of Construction affecting Onehunga Harbour Road adjacent to the Aotea Sea Scouts Hall. The offer of temporary relocation shall be developed in consultation with the Aotea Sea Scouts.	
Waikaraka Park (temporary facilities during construction)			

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Ref	Applies to:	Condition	Reasons for suggested changes
ROS.2	NoR 1	(a) To address the loss of on leash dog walking and passive open space during Construction Works, the Requiring Authority shall, subject to agreement of the landowner, provide an alternative area of up to 6,000m^2 for those activities and temporary parking for a minimum of 4 cars on the northern portion of the Waikaraka Park South future development site at 60 Captain Springs, Onehunga. (b) The recreation space shall be available for use prior to the permanent closure of any part of the Manukau Foreshore Walkway located between Onehunga Harbour Road and Hugo Johnston Drive. The recreation space shall consist of a space suitable for on leash dog walking ~~or~~ and informal sports. (c) The temporary parking in (a) shall be available for use by the public ~~on Saturdays, Sundays and Public Holidays~~ for the period of construction requiring the removal of on road parking in Captain Springs Road. The temporary parking will be formed from metal or similar material reflecting its temporary use. (d) The recreation space shall be maintained by the Requiring Authority until such time as either: i) The coastal walkway located along the coastal edge of the proposed reclamation is open to the public; or ii) The shared path on the road embankment is open to the public. (e) The temporary parking shall be maintained until such time as the extension to Captain Springs Road is open to traffic.	**July 2017:** Amendment to provide additional clarity.
Open Space Reinstatement Plans			
ROS.3	NoR 1 NoR 2	Prior to any works that affect Auckland Council parks and open space, the Requiring Authority shall prepare a register of assets and a photographic record of the pre-construction state of the parks and open space. This shall be provided to the Manager prior to construction commencing.	
ROS.4	NoR 1 NoR 2	(a) The Requiring Authority shall prepare a **Reinstatement Plan** in consultation with the landowner for the following parks and reserves (or parts thereof) directly impacted by Construction Works: i) Gloucester Park North and South; ii) Waikaraka Park; and iii) Bedingfield Memorial Park (b) Where other areas of open space are affected by Construction Works, the reinstatement of those areas shall be based on a like-for-like reinstatement based on the record prepared under ROS.3. (c) The purpose of the Reinstatement Plans is to provide details of the reinstatement works in open space areas directly affected by construction works. (d) The Reinstatement Plans shall:	

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Ref	Applies to:	Condition	Reasons for suggested changes
		i) Be prepared in accordance with the ULDMP for the area prepared under Condition LV.1; ii) Include details for the reinstatement of land used for Construction Works including: • Removal of structures, plant and materials associated with construction (unless otherwise agreed with the landowner); • Replacement or reinstatement of boundary fences to the same or similar type to that removed (as recorded through Condition ROS.3); • Reinstatement of grassed areas to a similar condition as existed prior to construction; • Replacement of trees and other planting removed for Construction Works on a one-for-one basis (or as otherwise agreed with the landowner); • Details of way finding and interpretation signage within and adjacent to the open space. iii) Include record of consultation and agreement with the landowner; and iv) Take account of any Council management plans prepared for the park, reserve or area of open space. (e) The Reinstatement Plan shall be provided to the Manager and implemented within 3 months of Completion of Construction, or at a later date as agreed with the landowner.	
Gloucester Park Reinstatement Plan			
ROS.5	NoR 1	In addition to the matters set out in Condition ROS.4, the Gloucester Park Reinstatement Plan shall include: (a) Details of proposed ecological enhancement to extend the existing saltmarsh area in Gloucester Park South; (b) Details of interpretive features for identifying geological heritage features; ~~and~~ (c) Details of fencing required to manage the safe interface of SH20 and Gloucester Park North for the current use of the park as a sportsfield; (d) Details of the artwork referred to in Condition LV.5B; and (e) Pedestrian and service vehicle connection points to Onehunga Harbour Road as referred to in Condition LV.5C(c) and (d).	**June 2017:** Amendments in response to the evidence of Ms Hannan for Auckland Council. **July 2017:** Amendment to provide clarity on current use of Gloucester Park North in Clause (c) and opportunities for parking and connections in Clause (e).
Waikaraka Cemetery and Waikaraka Park South ~~Park~~ Reinstatement Plan			***June 2017:*** *Amendments in response to the evidence of Ms Hannan for Auckland Council.*
ROS.6	NoR 1	In addition to the matters set out in Condition ROS.4, the Waikaraka Cemetery and Waikaraka Park South ~~Park~~ Reinstatement Plan shall include:	**June 2017:** Amendments in response to the evidence of Ms Hannan for Auckland Council.

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Ref	Applies to:	Condition	Reasons for suggested changes
		(a) Details of proposed landscaping along the southern boundary of Waikaraka Cemetery as referred to in Condition LV.5F. The landscaping is to be developed in consultation with HNZPT and Auckland Council Heritage Unit; ~~and~~ (b) Details of proposed grass surfacing of Waikaraka Park South to a standard which reasonably accommodates Council's future implementation of the Waikaraka Park South Development Plan; and (~~b~~c) Details of ~~proposed car parking~~ temporary construction phase carparking to be retained, and details of proposed works to integrate this carparking with the Waikaraka Park South Development Plan; (c) Accessibility from Waikaraka Cemetery and Waikaraka Park South~~accessible~~ to the recreational walkway on the foreshore and (if practicable) direct access between the Cemetery and Waikaraka Park South.	**July 2017:** Amendment to Clause (d) to reference the approval of the landowner.
Coastal Access Parking Plan			
ROS.7	NoR 1	The Requiring Authority shall assist Auckland Transport and Auckland Council to prepare and promote a Coastal Access Parking Plan to identify appropriate parking locations for universal access and recreational access as close as is practicable to the coastal edge of the Manukau Harbour and Mangere Inlet between Taumanu Reserve and Hugo Johnston Drive. The Plan shall include parking at Taumanu, Onehunga Harbour Road, Captain Springs Road and Hugo Johnston Drive. The Plan shall be completed and made available to the public as soon as practicable following Completion of Construction.	**June 2017:** New Condition added in response to the evidence of Mr McIndoe on behalf of Auckland Council. **July 2017:** Amendment to identify the geographic extent to be covered and the parking areas that should be included in the Coastal Access Parking Plan.
Network Utilities and Infrastructure (NU)			**June 2017:** Heading amended to reflect addition conditions added in response to the evidence of Mr Grala on behalf of Mercury.
Design – Permanent Access to Infrastructure Facilities			**June 2017:** New headings and conditions added which relate to specific matters to be taken into account in design of permanent works. Consequential renumbering of conditions.
NU.1	NoR 1 NoR 2	The Requiring Authority shall design permanent batters, retaining walls, crash barriers, fencing, acoustic barriers, and other such physical measures to be constructed as part of the Project in a manner which does not prevent practical access for ongoing access to Transpower structures and other significant infrastructure during construction and operation of the works authorised by the designation.	**June 2017:** New condition added in response to evidence by Mr Horne on behalf of Transpower NZ Limited (Submission 126378). Slight text amendments made to the suggested Transpower version have been discussed and agreed with Transpower.
Design – New Network Utilities Opportunities			
NU.2	NoR 1 NoR 2	The Requiring Authority shall consult with network infrastructure providers during the detailed design phase to identify opportunities to enable, or to not preclude, the development of new utility infrastructure and telecommunications facilities within the Project, where practicable to do so. The consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised in the Outline Plan or Plans prepared in accordance with Condition DC.7.	**June 2017:** Condition added in response to evidence from Spark (Submission 126279), with slight amendments to the wording suggested by Spark. This proposed designation condition has been discussed and agreed with Spark.

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Ref	Applies to:	Condition	Reasons for suggested changes
~~Network~~ Utilities Management Plan			
NU.~~1~~3	NoR 1 NoR 2	(a) The Requiring Authority shall prepare and implement a **~~Network~~ Utilities Management Plan** (~~N~~UMP). The ~~N~~UMP shall be prepared in consultation with the relevant infrastructure providers who have existing network and lifeline utilities that are directly affected by the Project. The purpose of the ~~N~~UMP is to ensure that the design and construction of the Project takes account of, and includes~~,~~ measures to, address the safety, integrity, protection and (where necessary) the relocation of existing network and lifeline utilities. (b) The ~~N~~UMP shall include methods and measures to: ~~(a)~~(i) Ensure that critical infrastructure can be accessed for maintenance at all reasonable times, or emergency works at all times, during and after construction activities; ~~(b)~~(ii) Manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear, to overhead high voltage transmission lines through the Project area and electricity transmission infrastructure located at the Southdown Site; and ~~(c)~~(iii) Ensure that no activity is undertaken during construction that would result in ground vibrations, ground instability and/or ground settlement likely to cause material damage to network utilities and electricity infrastructure located at the Southdown Site. (c) Demonstrate compliance with relevant standards and Codes of Practice including: i) NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; and ii) AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines. (d) The UMP shall also include the specific matters set out in Conditions NU.5 – NU.9. ~~(c)~~(e) At least 40 working days prior to commencement of Construction Works affecting a network utility, the Requiring Authority shall provide a draft of the ~~N~~UMP to the relevant infrastructure provider for review and comment. The ~~N~~UMP shall describe how the input from the infrastructure provider in relation to its assets has been incorporated. The Requiring Authority shall consider any comments received from the infrastructure provider when finalising the ~~N~~UMP. ~~(d)~~(f) Any amendments to the ~~N~~UMP related to an infrastructure providers' assets shall be prepared in consultation with that infrastructure provider.	**April 2017:** New Clauses (d) and (e) added to respond to submission by the Transpower NZ Limited (Submission 126378) and Auckland Council: Watercare (Submission 126336). Minor corrections to punctuation. **June 2017:** New wording added in (b) response to evidence on behalf of Mercury. New clause NU.3(c) added to avoid repetition of the same text in the following conditions, and minor consequential text edits made to Conditions NU.3 – NU.5.
NU.~~2~~ 4	NoR 1 NoR 2	A copy of the NUMP shall be provided to the Manager for information at least 20 working days prior to the commencement of any Enabling Works or Commencement of Construction where those enabling or Construction Works impact on network utilities.	

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Ref	Applies to:	Condition	Reasons for suggested changes
NU.~~3~~ 5	NoR 1 NoR 2	(a) ~~In addition to the matters set out in Condition NU.1, t~~The ~~N~~UMP shall include procedures, methods and measures to manage effects of the construction works on the following transmission lines: i) Mangere-Mt Roskill A 110 kV Line; ii) Penrose – Mt Roskill A 110 kV Line; and iii) Henderson – Ōtāhuhu A 220 kV Line. (b) The ~~N~~UMP shall include: i) Details of any dispensations and associated procedures, methods and measures agreed with Transpower for construction works that cannot meet *New Zealand Electrical Code of Practice for Electrical Safe Distances 2001* (NZECP 34:2001) or any subsequent revision of the code; ii) For all other works, procedures, methods and measures to demonstrate how construction works will meet the safe distances within the NZECP 34:2001 or any subsequent revision of the code and including specific measures and methods relating to: • Excavation ~~and construction near towers~~ or disturbance of the land around any Transpower transmission support structures under Clause 2.2.3; • Building to conductor clearances under Section 3; • ~~Ground to conductors clearances and the~~ Depositing of material under or near overhead electric lines under Clause 4.3.1; • Mobile plant ~~to conductor clearances~~ or load to Transpower transmission lines under Clause 5.2; ~~and~~ • People to conductor clearances~~,~~ and • Warning notices during use of mobile plant in proximity of overhead lines under Clause 5. iii) Details of measures to control induction and transferred voltages and Earth Potential Rise where use of conductive material for road infrastructure or relocated network utilities is within 12 metres of the outer foundations of any transmission tower or proposed tower or monopole; ~~iii)~~iv) Details of areas within which additional management measures are required, such as fencing off, entry and exit hurdles and the minimum height for any hurdles; ~~and~~ ~~iv)~~v) Details of contractor training for those working near transmission lines and other assets; and vi) Provision for Transpower involvement in contractor briefings for works involving the following: • Works within 12m of any Transpower overhead transmission line support structure;	**April 17:** Changes to Clauses (a) and (b) to respond to submission by Transpower NZ Limited (Submission 126378). Consequential renumbering. **June 2017:** Text in Clause NU.5(a) deleted to avoid repetition of the same text added to NU.3(c). Clause (b)(vi) added in response to evidence by Mr Horne on behalf of Transpower NZ Limited (Submission 126378).

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Ref	Applies to:	Condition	Reasons for suggested changes
		• Works within the maximum extent of line swing (at maximum operating temperature) of any Transpower overhead transmission line; and • Works within 20m of or encroaching into the Southdown Rail Supply Substation.	
NU.~~4~~ 6	NoR 1 NoR 2	(a) ~~In addition to the matters set out in Condition NU.1, t~~The ~~N~~UMP shall include procedures, methods and measures to manage effects of the construction works on the following Watercare assets: (i) Hunua 1 at Sylvia Park Road/Great South Road intersection (ii) Sylvia Park watermain (iii) Hunua 3 transmission watermain (iv) Hunua 4 transmission watermain (v) Eastern Interceptor Westfield Siphon (b) The ~~N~~UMP shall: (i) Demonstrate how construction works will meet safety procedures required by Watercare for works within the vicinity of its assets; and (ii) Describe the areas within which additional management measures are required; and (iii) Describe the process for obtaining approval from Watercare before works commence within close proximity to Watercare assets under the *Water Supply and Wastewater Network Bylaw 2015*.	**April 17:** New condition added to respond to the submission by Auckland Council: Watercare (Submission 126336). **June 2017:** Text in Clause NU.6(a) deleted to avoid repetition of the same text added to NU.3(c).
NU.~~5~~ 7	NoR 1	(a) ~~In addition to the matters set out in Condition NU.1, t~~The ~~N~~UMP shall include procedures, methods and measures to manage effects of the construction works on the First Gas East Tamaki to Taupaki Gas Pipeline. (b) The ~~N~~UMP shall demonstrate how construction works will meet First Gas operating standards and codes including: • AS2885: Pipelines – Gas and Liquid Petroleum (Part 1 for design and Part 3 for operation and maintenance); and • New Zealand Health and Safety in Employment (Pipelines) Regulations 1999.	**April 17:** New condition added to respond to the submission by First Gas (Submission 126342). **June 2017:** Text in Clause NU.7(a) deleted to avoid repetition of the same text added to NU.3(c).
NU.8	NoR 1 NoR2	The UMP shall include procedures, methods and measures to manage effects of the construction works on Spark assets, and in particular, shall include provisions so that: (a) The relocated AOHB Otahuhu cellular site at Princes Street is fully operational prior to decommissioning of the existing AOHB Otahuhu cellular site; and (b) The relocated and/or reconfigured AHAM Hamlins Hill cellular site at Great South Road is fully operational before the existing AHAM Hamlins Hill site Radio Frequency coverage is impacted by the construction of the EWL Project.	**June 2017:** Condition added in response to evidence from Mr McCarrison on behalf of Spark (Submission 126279). The evidence of suggested a comprehensive condition to be included with the general designation condition DC.1. A shorter version is included here so that all the utility conditions are in one place.
NU.9	NoR 1	The UMP shall include procedures, methods and measures to manage effects of the Construction Works on the Southdown Site, in particular, electricity	**June 2017:** Condition added in response to evidence of Mr Grala on behalf of Mercury.

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Ref	Applies to:	Condition	Reasons for suggested changes
		infrastructure including the Southdown Power Station, 11kV switchroom and high voltage equipment, energy storage technology, Transpower control and relay room and Transpower substation, and the Southdown Solar Research and Development Centre.	
NU.~~6~~ 10	NoR 1	The Requiring Authority shall work with Mercury, Transpower, ~~Vector,~~ KiwiRail and Auckland Transport to confirm the design and construction methodology for Construction Works on ~~or~~ and around the Southdown Rail Supply Substation. Construction Works that would compromise the ongoing operation of the transformer and other assets located within the Southdown Rail Supply Substation shall not occur until such time as measures are in place as agreed with those parties to mitigate any potential risks to the rail network and ensure continuity of electricity supply. ~~Prior to any relocation of the Southdown Rail Supply Substation or the commencement of any other physical works affecting in the vicinity of the substation, the Requiring Authority shall identify and confirm with the above parties, appropriate measures to mitigate any potential risks to the rail network and ensure continuity of electricity supply.~~	**April 17:** New condition added to respond to submissions by KiwiRail (Submission 126380), Transpower NZ Limited (Submission 126378) and Auckland Transport (Submission 126354). **June 2017:** Amendment to first paragraph reflecting that First Gas are the operator of the high pressure gas network (taking it over from Vector). Minor edit in first sentence in response to evidence of Ms Beals on behalf of KiwiRail. Condition amended in response to evidence by Ms Beals for KiwiRail, Mr Winter for Auckland Transport, Mr Horne for Transpower and Mr Grala for Mercury. Definition of "Southdown Substation" is now included in the Definitions.
Network Utility Approvals			
NU.~~7~~ 11	NoR 1 NoR 2	~~Prior to the Commencement of Construction, t~~The Requiring Authority shall not require Auckland Transport,~~or~~ Network Utility Operators or lifeline utility operators with existing infrastructure within the road reserve to seek written consent under section 176 of the RMA for on-going access to enable work associated with the routine construction, operation and maintenance of existing assets. To the extent that written approval is required, this condition shall constitute written approval.	**April 17:** New condition added to respond to submissions by Auckland Council: Watercare (Submission 126336), and Auckland Transport (Submission 126354). **June 2017:** Amendment in response to evidence of Mr Winter on behalf of Auckland Transport (Submission 126354). The condition waives the requirement for other utility authorities to obtain written approval under Section 176 of the RMA for routine works, but other established procedures for network utility works in the existing road corridors will continue to apply, along with the necessary site health and safety requirements once construction of the Project begins.
	NoR 1 NoR 2	***Advice Note:*** *In addition to the RMA processes, there are other additional processes and approvals applying to any work or activity that affect network utilities. The Requiring Authority may require additional approvals from Network Utility Operators prior to any works commencing in proximity to network utilities.*	**April 17:** New advice note added to respond to submissions by Auckland Council: Watercare (Submission 126336).
Mana Whenua Collaboration (MW) ***[Note:*** *The proposed Mana Whenua Collaboration Conditions below will also be contained in the resource consent conditions once the wording is finalised with any amendments agreed prior to a decision on the applications.]*			
Mana Whenua Group			
MW.1	NoR 1 NoR 2	(a) Six months prior to the Commencement of Construction, the Requiring Authority shall invite mandated representatives of Mana Whenua to participate in a Mana Whenua Group (MWG).	

Ref	Applies to:	Condition	Reasons for suggested changes
		(b) The purpose of the MWG is to facilitate engagement between the Requiring Authority and Mana Whenua in respect of the activities authorised by this designation. (c) The group will include invited representatives from: i) Ngāi Tai Ki Tāmaki; ii) Ngāti Maru; iii) Ngāti Paoa; iv) Ngāti Tamaoho; v) Ngāti Te Ata Waiohua; vi) Ngāti Whātua Ōrākei; vii) Te Ahiwaru; viii) Te Ākitai Waiohua; ix) Te Kawerau ā Maki; and x) Te Rūnanga o Ngāti Whātua (d) The MWG will hold regular meetings (at least three monthly) throughout the construction period. The MWG shall continue until six months after Completion of Construction. The frequency and duration of the meetings can be reduced where the majority of the members of the group agree. (e) The Requiring Authority shall record the main points arising from each meeting of the MWG, and shall provide a copy of that record to the meeting invitees within a reasonable time following the meeting. (f) The Requiring Authority shall be responsible for all reasonable costs associated with the resourcing of the MWG.	
MW.2	NoR 1 NoR 2	The MWG will be provided opportunities to review and comment on the following (amongst other things): (a) The ULDMP, with particular reference to design elements of the following features: i) ~~Aesthetic design for w~~Works in the vicinity of Te Hōpua a Rangi including how Mana Whenua artworks or design themes are incorporated and delivered into that design and nomination of an artist to design the artwork referred to in Condition LV.5B; ii) Landscape treatment (including plant species, plant sources and planting methodology), alignment and design of the recreation walkway, interpretive signage and other amenities along the Māngere Inlet foreshore recreation walkway; iii) Aesthetic design through the ~~Anns Creek area~~ upper reaches of the Māngere Inlet (Anns Creek), including reflection of the Kāretu Portage in the design of the viaduct and interpretive signage; iv) ~~Aesthetic d~~Design associated with the Kāretu Portage Path (an elevated shared path from west of ~~over~~ Great South Road and along Sylvia Park Road), including reflection of the historic Kāretu Portage in design of this feature;	**April 2017:** Amendments following further discussion with the Mana Whenua Group. Text in (iv) slightly amended to match same text in LV.5(e). **June 2017:** Minor clarifications for consistency with other conditions. **July 2017:** Amendment to Clause (a)(i) to provide for Mana Whenua nomination of the artist to design the Te Hōpua a Rangi artwork.

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Ref	Applies to:	Condition	Reasons for suggested changes
		v) ~~Aesthetic design of s~~Structures in the vicinity of the waahi tapu at Mt Wellington Interchange; and vi) ~~Aesthetic d~~Design of the Ōtāhuhu Creek bridges and in particular the treatment beneath these structures to reflect and respond to the Ōtāhuhu portage. (b) The Heritage Management Plan (as required by designation Condition HH.3) including details of Mana Whenua construction monitoring for sites identified as having significance to Mana Whenua (including but not limited to Te Hōpua a Rangi, Anns Creek and foreshore, Mt Wellington Interchange area, Ōtāhuhu Creek); (c) Accidental Discovery Protocol (as required by designation Condition HH.2); (d) The ECOMP (as required by consent Condition EM.1) including the detail of ecological restoration planting along the northern shoreline of the Māngere Inlet, Anns Creek and Ōtāhuhu Creek; (e) The CEMP and Coastal Works CEMP (as required by consent Conditions RC.10 and C.4), including details on site inductions, training programme(s) and tikanga for construction works (particularly for works in sensitive areas such as Te Apunga o Tainui at Mt Wellington Interchange) to respond to matters of significance to Mana Whenua; and (f) Results of environmental monitoring as required by conditions of the designation and related resource consents (e.g. water quality monitoring), including information to support cultural monitoring requirements.	
Cultural Monitoring Plan (Construction)			**April 17:** Added for clarification.
MW.3	NoR 1 NoR.2	Prior to the Commencement of Construction, a **Cultural Monitoring Plan** or plans shall be prepared by a ~~suitably qualified~~ person ~~and~~ endorsed by the Mana Whenua Group.	**April 17:** Amendment to respond to post-lodgement discussions with Mana Whenua and consistency with new Condition MW.6.
MW.4	NoR 1 NoR.2	The purpose of the Cultural Monitoring Plan is to set out the agreed cultural monitoring requirements and measures to be implemented during construction activities, to acknowledge the historic and living cultural values of the area to Mana Whenua and to minimise potential adverse effects on these values.	
MW.5	NoR 1 NoR 2	The Cultural Monitoring Plan shall include (but not be limited to): (a) Requirements for formal dedication or cultural interpretation to be undertaken prior to works commencing in areas identified as having significance to Mana Whenua (including but not limited to Te Hōpua a Rangi, Anns Creek and foreshore, Mt Wellington Interchange area, Ōtāhuhu Creek): (b) Requirements and protocols for cultural inductions; (c) Identification of sites and areas where cultural monitoring is required during particular Construction Works; (d) Identification of any other specific activities requiring cultural monitoring (e.g. implementation of spill contingency measures or specific works in the CMA);	

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Ref	Applies to:	Condition	Reasons for suggested changes
		(e) Identification of personnel nominated by Mana Whenua to undertake cultural monitoring, including any geographic definition of their responsibilities; (f) Details of personnel nominated by the Requiring Authority and Mana Whenua to assist with management of any issues identified during cultural monitoring, including implementation of the Accidental Discovery Protocol developed under Condition HH.2.	
Monitoring and Management Plan for the Māngere Inlet			
MW.6	NoR 1	Prior to the Commencement of Construction, a **Monitoring and Management Plan (MMP)** for the Māngere Inlet shall be prepared by a person endorsed by the Mana Whenua Group. The MMP shall be prepared in consultation with the Mana Whenua Group and Council, and shall be provided to the Manager for information.	**April 17:** New conditions to respond to post-lodgement discussions with Mana Whenua.
MW.7	NoR 1	The purpose of the MMP is: (a) To assess the contribution the Project makes to the enhancement of the Māngere Inlet; and (b) To identify potential opportunities for further enhancement of the Māngere Inlet that could be pursued by other organisations with interests in the Māngere Inlet. With regard to (a) above, the MMP shall set out how the Project will contribute to the following Desired Outcomes as set out in "*A Vision for the Māngere Inlet"* included in the EWL Cultural Values Report (February 2017): i) "Mana Whenua expectations and understanding will form part of how organisations operate"; ii) "To achieve a quality of water that sustains diverse and balanced life"; iii) "To rehabilitate and improve local and regional connections for people and the environments"; and iv) "A connected community that is thriving and nurturing – a place that is valued".	**April 17:** New conditions to respond to post-lodgement discussions with Mana Whenua.
MW.8	NoR 1	(a) The MMP shall: ~~a)~~i) Identify long-term indicators of enhanced mauri (well-being) of the Māngere Inlet; and how those indicators can be measured; ~~b)~~ii) Set out the proposed methods to be undertaken by the Consent Holder to measure the identified indicators; and ~~c)~~iii) Set out the proposed timeframe to implement those methods, with those timeframes to occur within a period not later than 5 years after Completion of Construction. (b) The long-term indicators shall include (unless agreed otherwise by the Mana Whenua Group and the Requiring Authority): ~~a)~~i) Indicators to demonstrate expression of cultural values in respect of the Māngere Inlet, for example:	**April 17:** New conditions to respond to post-lodgement discussions with Mana Whenua. **June 2017:** Numbering corrected and minor amendment to remove reference to other conditions.

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Ref	Applies to:	Condition	Reasons for suggested changes
		~~i)~~ Cultural values awareness for personnel involved in construction and implementation of the consents for the Project; and ~~ii)~~ Inclusion of measures in the ULDMP (e.g. interpretative signage and design elements). ~~b)~~ii) Indicators to measure water quality in the Māngere Inlet. ~~c)~~iii) Indicators of biological health of the Māngere Inlet, including presence of avifauna species and benthic fauna of cultural significance to mana whenua. ~~d)~~iv) Indicators of cultural wellbeing of the wai, such as ability for spiritual and traditional practices to be undertaken. ~~e)~~v) Indicators of improvements to connections for people and biota, indicators, for example: ~~i)~~ Green corridor connectivity in areas of ecological restoration; ~~ii)~~ Increased public access to the Māngere Inlet; and ~~iii)~~ Measures implemented to demonstrate the heritage connections in the Māngere Inlet (e.g. portages). (c) The proposed methods to measure long-term indicators may include: ~~a)~~i) Post-construction monitoring required by ~~other~~ conditions of resource consents granted for the Project, for example monitoring of sediment deposition, avifauna nesting activity, and salt marsh planting; ~~b)~~ii) Monitoring undertaken by Council and Council Controlled Organisations, and any other established organisations with monitoring programmes in the Māngere Inlet; and ~~c)~~iii) Other methods, for example users surveys of the walkway, cycleway and open space connections.	
MW.9	NoR 1	The development of the MMP shall: (a) integrate with relevant provisions of the Ecological Management Plan prepared in accordance with resource consents granted for the Project; and (b) take into account existing or planned monitoring programmes undertaken by Council and Council Controlled Organisations, and any other established organisations with monitoring programmes in the Māngere Inlet and shall integrate with those programmes as far as practicable.	**April 17:** New conditions to respond to post-lodgement discussions with Mana Whenua. **June 2017:** Amendment in response to evidence of Mr Cameron on behalf of Auckland Council.
MW.10	NoR 1	Five years after Completion of Construction, the Consent Holder shall update the MMP to: (a) Collate and assess the collective results of post-construction monitoring undertaken in accordance with conditions of resource consents granted for the Project, and other measurements of long-term indicators; and, based on that information; (b) Record how the Project has contributed to the enhancement of the Māngere Inlet; and	**April 17:** New conditions to respond to post-lodgement discussions with Mana Whenua.

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Ref	Applies to:	Condition	Reasons for suggested changes
		(c) Identify potential opportunities for further long-term enhancement of the Māngere Inlet that could be pursued by other organisations with interests in the Māngere Inlet.	
Historic Heritage (HH)			
Archaeology			
HH.1	NoR 1 NoR 2	Where the Requiring Authority holds an Archaeological Authority for pre-1900 archaeological sites under the Heritage New Zealand Pouhere Taonga Act 2014, the designation conditions set out below shall not apply to the activities authoris~~z~~ed by the Archaeological Authority.	**April 2017:** Amendment to respond to post-lodgement discussions with HNZPT. Spelling correction.
HH.2	NoR 1 NoR 2	For activities and areas of the Project not covered by an Archaeological Authority, the Requiring Authority shall prepare an Accidental Discovery Protocol for any accidental archaeological discoveries which occur during Construction Works. The Accidental Discovery Protocol shall be consistent with ~~*Minimum Standard P45 – Accidental Archaeological Discovery Specification* contained in the *State Highway Professional Services Proforma Manual* and the~~ Auckland Unitary Plan Accidental Discovery Rule in Standard E.11~~.6.1~~, E.12 and E.17. The Accidental Discovery Protocol shall be prepared in consultation with the Mana Whenua Group and modified to reflect the site specific Project detail. The Accidental Discovery Protocol shall be implemented throughout the Construction Works.	**April 17:** Amendment to respond to the submission by Auckland Council (Submission 126336).
Heritage Management Plan			
HH.3	NoR 1 NoR 2	(a) Prior to Commencement of Construction, the Requiring Authority shall prepare and implement a **Heritage Management Plan** (HMP). (b) The purpose of the HMP is to identify procedures and practices to be adopted to protect, as far as reasonably practicable, historic heritage and remedy and mitigate any residual effects. (c) The HMP will be prepared for the management of historic heritage, excluding any ~~matters~~ areas covered by an Archaeological Authority granted by HNZPT. (d) The HMP shall be provided to the Manager prior to Commencement of Construction. (e) The HMP shall be implemented throughout Construction Works, other than where the conditions of an Archaeological Authority obtained under the Heritage New Zealand Pouhere Taonga Act 2014, or the archaeological works plans or site instructions approved under that Authority, require otherwise.	**April 2017:** Amendment following discussion with HNZPT.
HH.4	NoR 1 NoR 2	The HMP shall be prepared by a ~~s~~Suitably ~~q~~Qualified ~~p~~Person~~(s)~~ in consultation with ~~Auckland~~ Council, HNZPT and Mana Whenua, and shall identify: (a) Known historic heritage within the designation boundary;	**April 2017:** Amendments to Clause (b) and advice note to respond to post lodgment discussions with HNZPT.

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Ref	Applies to:	Condition	Reasons for suggested changes
		(b) Any pre-1900 areas covered by an Archaeological Authority ~~archaeological sites in accordance with authorities~~ under the Heritage New Zealand Pouhere Taonga Act 2014; (c) Roles and responsibilities of personnel involved with historic heritage matters including surveys, and monitoring of conditions; (d) Methods for avoiding and/or minimising effects on historic heritage during construction where practicable (for example the fencing off of archaeologically sensitive areas to protect them from damage during construction, and construction methods that minimise vibration); (e) Details for recording and salvage prior to removal of the historic concrete railway bridge and tunnel located adjacent to Onehunga Harbour Road. The recording and salvage shall be aligned, as appropriate, with the Salvage and Conservation Heritage Plan for the proposed removal of the Old Māngere Bridge (being part of a separate works project planned by the NZ Transport Agency). (f) Training requirements for contractors and subcontractors on historic heritage areas/features within the designation boundary and any accidental discovery protocols. The training shall be undertaken under the guidance of a ~~s~~Suitably ~~q~~Qualified ~~p~~Person and representatives of the Mana Whenua Group; (g) Cultural inductions for site/places of importance to Mana Whenua; ~~and~~ (h) Proposed methodology for assessing the historic heritage, condition and means to mitigate any adverse effect (if any) on the built heritage features listed in Condition HH.5, including allocation of resources and the timeframe for implementing the proposed methodology in accordance with *Heritage New Zealand guideline AGS 1A: Investigation and Recording of Buildings and Standing Structures for assessing and recording built heritage* dated 4 July 2014 (or any subsequent revision)~~.~~; and (i) Proposed methodology for documentation of post-1900 historic heritage exposed during construction. ***Advice note:*** *The archaeological requirements of the Project shall be undertaken in compliance with any conditions of an archaeological authority issued by HNZPT under the Heritage New Zealand Pouhere Taonga Act 2014.* *The Requiring Authority shall seek advice from a ~~s~~Suitably ~~q~~Qualified ~~p~~Person in advance of any Site Investigations or Enabling Works on the potential need for an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act 2014 for those works. If the ~~s~~Suitably ~~q~~Qualified ~~p~~Person identifies that an Archaeological Authority may be required, the Requiring Authority shall engage with Heritage New Zealand.*	Amendment to Clause (d) and new Clause (i) to respond to the submission by Auckland Council (Submission 126336). Minor correction to reflect definitions. **June 2017:** Clause (h) amended to refer to resources in response to evidence of Ms Eaves. **July 2017:** Minor change
Built Heritage Features – Condition Survey			.
HH.5	NoR 1	(a) Subject to receiving the owners written approval, a ~~structural~~ building condition survey shall be undertaken by a ~~s~~Suitably ~~q~~Qualified ~~p~~Person ~~within 20 days prior to the Commencement of Construction~~ for the following built heritage structures prior to the Commencement of Construction in the vicinity of those structures:	**April 2017:** Amendments to Clauses (a)(i), (a)(iii), old (a)(iv), new (a)(iv) and new (a)(v) to reflect to post lodgement discussions with HNZPT and Auckland Council. New Clause (d) added to respond to the submission by Auckland Council (Submission 126336).

Ref	Applies to:	Condition	Reasons for suggested changes
		i) The Aotea Sea Scouts Hall at 1 Orpheus Drive and stone walls including an inventory and photographic survey of the interior fittings; ii) The Landing at 2 Onehunga Harbour Road; iii) The Extent of Place as identified in the Auckland Unitary Plan (Operative in Part) and any contributing buildings on Onehunga Wharf at 55 Onehunga Harbour Road; ~~iv) The Shaldrick Building at 50 Onehunga Road;~~ ~~v)~~iv) The Waikaraka Park stone walls in the following locations: – along the southern boundary between Waikaraka Park and the EWL Main Alignment; – along the western boundary at Alfred Street; and – along the eastern boundary at Captain Springs Road; ~~vi)~~v) The Waikaraka Park stone caretakers' cottage~~s~~ on Captain Springs Road. (b) The purpose of the survey is to determine the pre-construction condition, context and physical features of the built heritage structures to form the basis of construction monitoring. (c) The outcome of the survey shall be provided to the ~~landowner~~ building owner within 20 working days following completion of the survey and a copy shall be provided to the Manager. (d) Regular visual inspections of the built heritage structures shall also be undertaken during periods of construction activity that have the potential to result in significant vibration. The visual inspection shall be undertaken at a frequency appropriate to the nature and duration of the construction activity. ~~(d)~~(e) A post-construction condition survey shall be undertaken within 3 months following Completion of Construction in the vicinity of the built heritage feature. The outcome of the survey shall be provided to the ~~landowner~~ building owner ~~within 1 month~~ following completion of the survey and a copy shall be provided to the Manager. ~~(e)~~(f) If any damage occurs that is verified as ~~and is~~ attributable to the Construction Works, the Requiring Authority shall (with the agreement of the building owner and subject to any additional approval required) make good the damage and advise the Manager of the work undertaken.	Amendments to Clauses (c), (e) and (f) to respond to the submission by Auckland Council (Submission 126336). Consequential renumbering of clauses. **June 2017:** Clause (e) amended in response to the evidence of Ms Caddigan for Auckland Council.

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Ref	Applies to:	Condition	Reasons for suggested changes
HH.6	NoR 1	The Requiring Authority is deemed to have complied with Condition HH.5 if: (a) The Requiring Authority has written to the ~~built heritage structure~~ building owner offering the structural condition survey and the owner did not accept the Requiring Authority's offer within three months of the date of the Requiring Authority's written offer; or (b) The built heritage feature owner cannot, after reasonable enquiry, be found ~~prior to Completion of Construction~~.	**April 2017:** Amendments to maintain consistency with other condition.
HH.6A	NoR2	Prior to the removal of the houses at 69 Panama Road and 31 Frank Grey Place, the houses shall be photographically recorded and the record shall be provided to the Manager.	**April 2017:** New condition added partially in response to submission by Auckland Council (Submission 126336) and to respond to a recommendation in *Technical Report 2: Built Heritage Assessment*. **June 2017:** Numbering updated.
Aotea Sea Scout Hall – Conservation Plan			
HH.7	NoR1	The Requiring Authority shall update the Conservation Plan for the Aotea Sea Scout Hall contained in the document titled *Aotea Sea Scouts Building Conservation Plan, 19 February 2007, Revision: FINAL DRAFT, MHX REF:X025*. The update shall consider the following: (a) Any changes to history and narrative as a result of new information; (b) Statements of heritage value; (c) Review current condition including any changes, deterioration or loss of heritage fabric; (d) Document any maintenance or repairs undertaken; and (e) Review of policy regarding use of the building. The updated Conservation Plan shall also include: (i) A structural and condition survey, a schedule of recommended prioritised conservation repair and maintenance work, and preliminary cost estimates; and (ii) An assessment of works required to provide a wastewater connection. The updated Conservation Plan shall be submitted to ~~Auckland Council~~ the Manager for information at the same time as the submission of the Heritage Management Plan prepared under Condition HH.3.	**June 2017:** Amendments to condition in response to evidence of Ms Caddigan on behalf of Auckland Council and outcomes of expert conferencing on 26 May.
HH.7A	NoR1	(a) The recommendations of the updated Conservation Plan shall be discussed with the landowner(s), building owner, HNZPT and Auckland Council's Heritage Unit. (b) The Requiring Authority, in consultation with the parties identified in (a) above shall identify which recommendations of the updated Conservation Plan ~~could~~ will be implemented (in part or in full) as part of the Project. For	**June 2017:** Condition added in response to evidence of Ms Caddigan on behalf of Auckland Council and outcomes of expert conferencing on 26 May. **July 2017:** Amendments to reflect discussions with Auckland Council

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Ref	Applies to:	Condition	Reasons for suggested changes
		example, this could include prioritised conservation repair and maintenance works and / or a wastewater connection. (c) Subject to the agreement of the building owner and/or the landowner(s), and the grant of any required statutory approvals, the Requiring Authority shall implement any works identified in (b) above, prior to or within 12 months of Completion of Construction.	
Geological Heritage			
HH.8	NoR1	The Requiring Authority shall engage a ~~s~~Suitably ~~q~~Qualified ~~p~~Person to record the geology of the proposed cut into the Te Hōpua a Rangi tuff ring that will be undertaken to form the EWL Trench on Onehunga Harbour Road. The record may include information obtained in advance of construction (e.g. borehole logs), and / or information obtained as the cut progresses. Provision shall be made for sampling of materials of geological interest and suitable scientific analysis. The site records and finding of further geological analysis ~~The record~~ shall be prepared in a manner which enables the information to contribute to the geological knowledge of Auckland's volcanic heritage, and shall be provided in a report to the Manager. Subject to compliance with site health and safety requirements, the Requiring Authority shall provide an opportunity for a Council representative with specialist interest in geological heritage to view the cutting at an appropriate time during excavations, whilst exposed natural material is visible.	**April 2017:** New condition to reflect the recommendation in evidence of Mr Smith (Geological Heritage). **June 2017:** Amendment to provide for sampling, scientific analysis and recording in response to the evidence of Mr Jamieson (Auckland Council) and to reflect the agreed outcome in Paragraph 6.16 of Expert Conferencing Joint Witness Statement – Geological Heritage, dated 25 May 2017.
Urban Design, Landscape and Visual (LV)			
LV.1	NoR 1 NoR 2	The Requiring Authority shall prepare an **Urban and Landscape Design Master Plan (ULDMP)** for the Project. The ULDMP may be submitted in sectors or in parts. The ULDMP shall be included in the Outline Plan submitted prior to the Commencement of Construction of permanent works. A ULDMP is not required for Enabling Works and Site Investigations.	
LV.2	NoR 1 NoR 2	The purpose of the ULDMP is to: (a) Integrate the Project's permanent works into the surrounding landscape and urban context and to illustrate the urban and landscape design elements of the Project. (b) Outline the requirements for the Project's permanent landscape mitigation works; and (c) Outline the maintenance and monitoring requirements for planting undertaken as part of the ULDMP.	
LV.3	NoR 1 NoR 2	The ULDMP shall be prepared in consultation with: i) Council for areas of the Project to become Council assets; ii) Auckland Transport for areas within and adjoining local roads; iii) the Mana Whenua Group;	**June 2017:** Condition amended in response to evidence of Auckland Council and outcomes of expert conferencing on 26 May. Auckland Council Heritage Unit and Panuku Development Auckland added as parties to be consulted during the preparation of the ULDMP.

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Ref	Applies to:	Condition	Reasons for suggested changes
		iv) HNZPT; v) Landowners ~~agreements~~; ~~and~~ vi) Adjacent landowners in relation to ~~for the detail of~~ noise barriers on their boundary; vii) Auckland Council Heritage Unit for works within AUP Historic Heritage Overlay Extent of Place and/or affecting AUP Historic Heritage Overlay and Schedule items; and viii) Panuku Development Auckland for works adjacent to Onehunga Wharf. Any comments and inputs received from the parties listed above shall be summarised within the ULDMP or supporting document, along with explanation of where any comments or suggestions have not been incorporated and the reasons why.	Item (v) amended to clarify that consultation would be with directly affected landowners, not just those where there are established agreements in place.
LV.4	NoR 1 NoR 2	The ULDMP shall be prepared by a ~~s~~Suitably ~~q~~Qualified ~~p~~Person and shall: (a) Reflect the Key Design Principles and Sector Outcomes of the Project's *Urban and Landscape Design Framework* dated November 2016 and the Addendum dated December 2016 (hereafter referred to as the ULDF); ~~and~~ (b) Be prepared in general accordance with the following (or equivalent update): i) NZ Transport Agency's *Urban Design Guidelines: Bridging the Gap* (2013); and ii) NZ Transport Agency Landscape Guidelines (final draft dated 2014); and NZ Transport Agency's *P39 Standard Specification for Highway Landscape Treatments*, 2013~~.~~; and (c) Be integrated with the ULDMP for the areas of the Project within the Coastal Marine Area, and, where relevant, the Ecological Management Plan, both plans to be prepared in accordance with conditions of the resource consents granted for the Project.	**June 2017:** New Clause (c) inserted to recognise the interrelationship between the plans.
LV.5	NoR 1 NoR 2	The ULDMP shall demonstrate how the Sector-Specific Outcomes in Chapter 5 of the ULDF have been incorporated and shall include the following: (a) Design that describes and illustrates the overall urban and landscape design concept, and explains the rationale for the landscape and urban design proposal if different from the ULDF concepts; (b) Developed design details for the urban and landscape design features. These shall cover the following: i) Roadside furniture – elements such as lighting, sign gantries and signage, guard rails, fences and median barriers; ii) Architecture and landscape treatment of all major structures, including bridges, structures, underpasses and retaining walls; iii) Architecture and landscape treatment of ~~acoustic~~noise barriers; iv) Land use re-instatement following construction;	**April 2017:** Clause (b)(ii) amended to include structures. Clause (b)(v) amended to remove reference to ponds as there are no ponds proposed for stormwater management. **June 2017:** Minor text amendment to make terminology consistent with other conditions.

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Ref	Applies to:	Condition	Reasons for suggested changes
		v) Landscape treatment of permanent stormwater management ~~ponds,~~ wetlands and swales; vi) Integration of passenger transport facilities; vii) Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses; viii) Features (such as interpretive signage) for the purpose of identifying and interpreting cultural heritage, built heritage, archaeology, geological heritage and ecology in the Project area; ix) Proposed maintenance boundaries; x) Consideration of: • Crime Prevention Through Environmental Design (CPTED) principles; • Safety in Design (SID) requirements; • Maintenance requirements and anti-graffiti measures; and • Protected viewshafts, character areas and protected heritage sites, structures or features, as identified in the Auckland Unitary Plan. The ULDMP shall also describe how road design elements such as median width and treatment, roadside width and treatment, and earthworks contouring, have taken into account the Sector-Specific Outcomes in Chapter 5 of the ULDF.	
~~LV.5A~~	~~NoR 1~~	~~The ULDMP shall also include the developed design details~~ ~~(a) Design details for an artwork to encircle Te Hōpua a Rangi for the purpose of highlighting its presence and circular form;~~ ~~(b) Design details for the area surrounding the Aotea Sea Scout Hall to achieve the design outcomes set out in Section 5.1 of the ULDF. These shall cover the following:~~ ~~i) Continued vehicular access to the building from Orpheus Drive, with sufficient curtilage for parking to support ongoing use of the building;~~ ~~ii) Retaining uninterrupted views towards the building from public areas along the Manukau Harbour edge;~~ ~~iii) Acknowledgement and interpretation of the history of the building;~~ ~~iv) Design treatment of the retaining walls immediately opposite to acknowledge or recall the history of the building;~~ ~~v) Interpretive signage as required by LV.5(b)(viii);~~ ~~vi) Landscaping to soften interface with the road environment; and~~ ~~vii) Detailing / finish of walls to respond to heritage context.~~ ~~(c) Design details for an edge treatment to improve screening of EWL from within the Waikaraka Cemetery and from Waikaraka Park South, for the purpose of maintaining a sense of separation from the transport corridor. The design details shall reflect the built and landscape features of the historic heritage Extent of Place (such as existing rock walls and~~	**April 2017:** New Condition LV.5A(a) (d) and (e) to reflect the recommendation in evidence of Mr Lister (Landscape and Visual). New Condition LV.5A(b) added to respond to the submission by HNZPT (Submission number 126638). New Condition LV.5A(c) added to respond to the submission by HNZPT (Submission number 126638). **June 2017:** Numerous changes and additions have been made to the original wording of this condition in response to submitter's evidence and expert conferencing. To avoid the condition becoming too long, the original condition has been split into new conditions LV.5A to LV.5F with each of those conditions relating to a particular geographic location.

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Ref	Applies to:	Condition	Reasons for suggested changes
		~~pohutukawa), and take into account the future sports fields to be developed by Council to the east of the Waikaraka Cemetery. This edge treatment may include refinement to the embankment profile, the construction of a low wall, planting, or a combination. This edge treatment shall be integrated with any works forming part of the Waikaraka Park Reinstatement Plan under Condition ROS.6.~~ ~~(d) Design details for the section of the EWL Main Alignment along the Māngere Inlet foreshore between Galway Street to mid-way between Captain Springs Road and Ports Link Road, with the purpose of those details being to ensure the design for this section of the road has an urban arterial character, and differs in character from the balance of EWL recognising its urban harbour frontage. This outcome could be achieved by incorporating design elements such as:~~ ~~i. Different road surface material;~~ ~~ii. No median barrier;~~ ~~iii. 60 kph posted speed limit;~~ ~~iv. A succession of elements on either side of the EWL Main Alignment, perpendicular to the highway, to create a visual transition to a slower speed environment (gateway structures);~~ ~~v. Wide promenade footpath on the outer edge;~~ ~~vi. Distinctive footpath details;~~ ~~vii. Bespoke street furniture;~~ ~~viii. Street trees; and~~ ~~ix. City street lights.~~ ~~(e) Design details for the Kāretu Portage Path (an elevated shared path from west of Great South Road and along Sylvia Park Road), which achieve the design outcomes set out in Section 5.3 and 5.4 of the ULDF Addendum dated December 2016.~~	
LV.5A	NoR 1	The ULDMP shall include the following information in relation to works in the vicinity of the Aotea Sea Scouts Building: ~~(b)~~(a) Design details for the area surrounding the Aotea Sea Scout ~~Hall~~ Building to achieve the design outcomes set out in Section 5.1 of the ULDF. These shall cover the following: i) Continued vehicular access to the building from Orpheus Drive, with sufficient curtilage for parking to support ongoing use of the building; ii) Retaining uninterrupted views towards the building from public areas along the Manukau Harbour edge; iii) Acknowledgement and interpretation of the history of the building;	**June 2017:** Original wording from LV.5A (b) moved into this new condition. Minor text amendment for consistency with naming of building in other conditions. New item (b) added in response to expert conferencing on 6 June 2017.

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Ref	Applies to:	Condition	Reasons for suggested changes
		iv) Design treatment of the retaining walls immediately opposite to acknowledge or recall the history of the building; v) Interpretive signage as required by LV.5(b)(viii); vi) Landscaping to soften interface with the road environment; and vii) Detailing / finish of walls to respond to heritage context. (b) Identified opportunities for public parking on Onehunga Harbour Road within proximity to the Aotea Sea Scouts Building. The design of any new parking areas shall be integrated with the outcomes to be achieved in Condition LV.5C.	
LV.5B	NoR1	~~(a) Design details for an artwork to encircle Te Hōpua a Rangi for the purpose of highlighting its presence and circular form~~ (a) The ULDMP shall include developed design details for a commissioned artwork that is to highlight the circular form of the Te Hōpua a Rangi crater and emphasise Te Hōpua a Rangi as a landmark. The artwork: i) Shall not compromise the use of the park for sports fields; ii) Shall respond to opportunities to recognise the cultural values of the site as identified by the Mana Whenua Group; and ~~ii~~iii) Shall accentuate the legibility of the natural landform, and avoid modification of the natural ground in the area identified in the Auckland Unitary Plan as Outstanding Natural Feature. For the avoidance of doubt, this does not exclude excavation for foundations and the like into areas that have been landfilled or otherwise modified~~.~~; (b) Subject to agreement of the landowner(s) for the artwork to be located on land outside of the designation, the Requiring Authority shall install the artwork within 12 months of Completion of Construction in this sector. In the event that the landowner does not agree to the artwork, the Requiring Authority shall develop design details and implement an alternative artwork which best emphasises Te Hōpua a Rangi as a landmark.	**June 2017:** Original wording from LV.5A (a) moved into this new condition, and text added in response to evidence of Ms Hannan and Mr Jamieson on behalf of Auckland Council. Item (b) added to acknowledge that much of the land beyond the proposed designation identified as Outstanding Natural Feature is owned by Auckland Council, and undertaking works beyond the designation will require landowner agreement. **July 2017:** New Clause (a)(ii) added to recognise cultural values of Te Hōpua a Rangi.
LV.5C	**NoR 1**	The ULDMP shall include developed design details for the EWL Trench and EWL Land Bridge and immediately adjacent land to achieve the following outcomes: (a) Provide a generous connection between the vicinity of The Landing (2 Onehunga Harbour Road) and Onehunga Wharf, with the EWL Land Bridge to be a minimum of 70m in length, being the distance between its western and eastern end; (b) Provide physical connectivity for local traffic over the EWL Trench and for traffic accessing Onehunga Wharf, including heavy vehicle access to existing and future activities on Onehunga Wharf; (c) Incorporate pedestrian and cycle access, including legible connections to parking on Onehunga Harbour Road, to Gloucester Park South and to Onehunga Wharf; (d) Incorporate service vehicle access to Gloucester Park South; (e) Accommodate a high amenity open space on the EWL Land Bridge complementary to the area in front of The Landing;	**June 2017:** New condition added in response to evidence of Ms Caddigan, Mr Jamieson and Mr McIndoe on behalf of Auckland Council and expert conferencing on 31 May and 6 June 2017. **July 2017:** Amendments to Clause (a) to include text requested by Council to clarify the length and width of the land bridge. Amendments to Clause (h) to clarify the location and intent of the acoustic treatment in the EWL Trench. Amendment to clause (f) to reflect further discussions with Auckland Council.

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Ref	Applies to:	Condition	Reasons for suggested changes
		(f) Respond to the historic context of the former Manukau Tavern (now The Landing at 2 Onehunga Harbour Road) and the Onehunga Wharf and reference their heritage values and historic relationships including interpretive signage as required by LV.5(b)(viii) ~~identified in the Auckland Unitary Plan as an Historic Heritage Extent of Place~~; (f) Not preclude further design and landscaping to integrate with potential redevelopment of the Onehunga Wharf for mixed use or public activities; and (h) Where practicable, acoustic treatment within the EWL Trench (e.g. surface treatment on the trench walls) to manage operational noise effects from traffic in the EWL Trench on pedestrians, cyclists and users of adjacent public ~~open space~~ areas.	
LV.5D	**NoR 1**	The ULDMP shall include developed design details for the pedestrian and cycle connection between Onehunga Wharf and the eastern extent of Taumanu Reserve to achieve the following outcomes: (a) A minimum of 4m width, with occasional wider sections where practicable for amenity features such as lookouts or seating; and (b) Planting or other landscape treatment where practicable, to soften hard edges and integrate with the coastal environment.	**June 2017:** New condition added in response to evidence on behalf of Auckland Council and outcomes of expert conferencing on 31 May and 6 June 2017.
LV.5E	**NoR 1**	The ULDMP shall include developed design details for the pedestrian and cycle connection between Onehunga Mall and Onehunga Harbour Road / Old Mangere Bridge (including the existing or replacement Old Mangere Bridge) to achieve the following outcomes: (a) A primary route by way of Onehunga Mall and an underpass beneath SH20, that is: i) Legible as the primary route; ii) As direct as possible, and has sightlines as open as possible; iii) Incorporates a high amenity streetscape in Onehunga Mall; iv) Addresses amenity and CPTED matters in the underpass; and v) Incorporates a minimum 5m wide bridge over the EWL Trench, with design details that provide a sense of separation from the EWL Main Alignment; (b) An alternative route adjacent to Onehunga Harbour Road that addresses amenity and CPTED matters beneath the SH20 bridge.	**June 2017:** New condition added in response to evidence on behalf of Auckland Council and outcomes of expert conferencing on 31 May and 6 June 2017.
LV.5F	NoR 1	~~(c) Design details for an edge treatment to improve screening of EWL from within the Waikaraka Cemetery and from Waikaraka Park South, for the purpose of maintaining a sense of separation from the transport corridor. The design details shall reflect the built and landscape features of the historic heritage Extent of Place (such as existing rock walls and pohutukawa), and take into account the future sports fields to be developed by Council to the east of the Waikaraka Cemetery. This edge treatment may include refinement to the embankment profile, the construction of a low wall, planting, or a combination. This edge treatment shall be integrated with any works forming part of the Waikaraka Park Reinstatement Plan under Condition ROS.6.~~	**June 2017:** Original wording from LV.5A(c) replaced by this new condition in response to evidence of Mr McIndoe on behalf of Auckland Council and outcomes of expert conferencing on 26 May 2017. **July 2017:** Amendments to Clause (a)(iv) to reflect further discussions with Auckland Council. Amendments to Clause (a)(v) to require that noise mitigation shall achieve the noise levels for Special Purpose – Cemetery Zone under the AUP or Best Practicable Option whilst also integrating with other outcome for the urban design and landscape treatment.

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Ref	Applies to:	Condition	Reasons for suggested changes
		The ULDMP shall include developed design details for works at the southern boundary of Waikaraka Cemetery and Waikaraka Park South to achieve the following outcomes: (a) A high quality urban design and landscape treatment between the EWL Main Alignment and Waikaraka Cemetery and Waikaraka Park South to: i) Soften views of the EWL Main Alignment from within the Cemetery and Park; ii) Maintain a sense of separation from the EWL Main Alignment; iii) Incorporate elevated areas or features from which views are available over Mangere Inlet; iv) Reflect the built and landscape features of the historic heritage within the Extent of Place (such as existing rock walls and pohutukawa) and include interpretive signage as required by LV.5(b)(viii); v) Incorporate measures to mitigate operational noise effects from traffic on the EWL Main Alignment on visitors to the Cemetery with a target to achieve 50 dB L_{Aeq} when measured within the boundary of the cemetery unless impracticable to do so in which case achieve Best Practicable Option taking into account any noise mitigation measures shall integrate with the desired outcomes in (i) to (iv) above. (b) Integrated urban design and landscape treatment which takes into account engineering considerations such as groundwater and stormwater management; (c) Integration with pedestrian and cycle connections to the west and east of the Cemetery and Park, and along and across the EWL Main Alignment; and (d) Integration with parking to be retained in Waikaraka Cemetery. The design details shall take into account the future sports fields to be developed by Council in Waikaraka Park South, and shall integrate with any works forming part of the Waikaraka Park Reinstatement Plan prepared in accordance with Condition ROS.6	
LV.5G	NoR 1	The ULDMP shall include the following developed design details in relation to the EWL Main Alignment along the Māngere Inlet foreshore: (~~d~~a) Design details for the section of the EWL Main Alignment along the Māngere Inlet foreshore between Galway Street to mid-way between Captain Springs Road and Ports Link Road, with the purpose of those details being to ensure the design for this section of the road has an urban arterial character, and differs in character from the balance of EWL recognising its urban harbour frontage. This outcome could be achieved by incorporating design elements such as: i) Different road surface material; ii) No median barrier; iii) 60 kph posted speed limit;	**June 2017:** Original wording from LV.5A(d) moved to this new condition. New item (b) added to provide a link to the associated coastal permits. Proposed new conditions have been added into the coastal permit relating to the design of works within the Coastal Marine Area.

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Ref	Applies to:	Condition	Reasons for suggested changes
		iv) A succession of elements on either side of the EWL Main Alignment, perpendicular to the highway, to create a visual transition to a slower speed environment (gateway structures); v) Wide promenade footpath on the outer edge; vi) Distinctive footpath details; vii) Bespoke street furniture; viii) Street trees; and ix) City street lights. (b) The design details shall integrate with proposed road embankment, landscape and amenity features, access, and stormwater treatment areas to be constructed in the Coastal Marine Area as part of the Project and as authorised by coastal permits granted for the Project.	
LV.5H	NoR 1	The ULDMP shall include ~~(e) D~~design details for the Kāretu Portage Path (an elevated shared path from west of Great South Road and along Sylvia Park Road), which achieve the design outcomes set out in Section 5.3 and 5.4 of the ULDF Addendum dated December 2016.	**June 2017:** Original wording from LV.5A(e) moved to this new condition.
LV.6	NoR 1 NoR 2	The ULDMP shall ~~also~~ include the following planting details: (a) Identification of vegetation to be retained (including trees identified in accordance with Condition TR.1), protection measures, and planting to be established along cleared edges; (b) Details of the sourcing of native plants. Any planting using native plants shall use plants genetically sourced from the Tamaki Ecological District where possible or otherwise shall use plants that have been genetically sourced from within the Auckland Ecological Region; (c) Proposed planting including plant species, plant/grass mixes, spacing/densities, sizes (at the time of planting) and layout and planting methods including trials; (d) Planting programme – the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of Construction Works in each stage of the Project; (e) Detailed specifications for landscape planting relating to (but not limited to) the following: i) Weed control and clearance; ii) Pest animal management; iii) Ground preparation (topsoiling and decompaction); iv) Mulching; and v) Plant sourcing and planting, including hydroseeding and grassing; (f) The detailed specifications above are to be consistent with the ECOMP required by Condition EM.1 and with planting plans for the stormwater treatment wetlands required by Condition SW.1.	**June 2017:** Minor text edit.

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Ref	Applies to:	Condition	Reasons for suggested changes
		(g) For any landscape planting, a maintenance regime including monitoring and reporting requirements, which is to apply for the 2 years following that planting being undertaken; and (h) For any ecological restoration planting, a maintenance regime including monitoring and reporting requirements, which is to apply for the 5 years following that planting being undertaken.	
LV.7	NoR 1 NoR 2	Planting shall be implemented: (a) Wherever practicable prior to Commencement of Construction; or (b) As soon as areas become available for planting due to the progress of the works and seasonal conditions; and/or (c) Within twelve months of Completion of Construction, unless the seasonal timing of works makes some planting impracticable, in which case such planting shall be completed no later than twenty four months after Completion of Construction.	
LV.8	NoR 1 NoR 2	Where the Requiring Authority installs ~~acoustic~~ noise barriers immediately adjacent to residential properties between Panama Road and the southern extent of the works, it shall offer to undertake~~n~~ planting to soften the appearance of the barrier. The offer shall be made no later than 3 months prior to Completion of Construction. If the offer is not accepted by a property owner within that timeframe, this condition is deemed to have been complied with.	**April 2017:** New condition added to reflect the recommendation of *Technical Report 6: Landscape and Visual Assessment.* **June 2017:** Minor text amendment to make terminology consistent with other conditions.
Trees (TR)			
TR.1	NoR 1 NoR 2	Arboricultural assessments shall be carried out prior to Commencement of Construction to assess if any existing trees within the construction area are worthy of retention or relocation and if it is practicable to retain or relocate those trees. The assessment shall include a survey of trees ~~over 4 metres in height or 400mm in girth (at~~ prior to the Commencement of Construction~~)~~ within parks, reserves and local roads to inform the replacement of these trees in accordance with Condition TR.2. The survey methodology shall be provided to the Manager for certification. If retention or relocation of a tree is determined appropriate, specific tree protection/management measures shall be developed and implemented throughout the Construction Works so that health of the trees ~~to be retained~~ is not adversely affected. Where any retained or relocated trees are located on Council owned land (including Council owned open space and road reserve), the Council's nominated arborist shall be consulted regarding appropriate tree protection/management measures.	**April 2017:** Amended in response to Auckland Council (Submission 126336). **June 2017:** Amended to provide for management of relocated trees and requiring a survey of existing trees. **July 2017:** Deletion to reflect discussion with Council that any tree in parks, reserves and local roads should be included in the survey regardless of size..
TR.2	NoR 1 NoR 2	Trees ~~over 4 metres in height or 400mm in girth (at Commencement of Construction)~~ within parks, reserves and local roads that require removal for the Project shall be replaced with trees of suitable/comparable species and size or to achieve comparable canopy ~~cover~~ footprint after 10 years in a location agreed with Council (for parks and reserves) or Auckland Transport and Council (for local roads and paths). Details of the location, species and	**June 2017:** Amendment to recognise that large trees cannot be replaced and achieving a comparable canopy cover would be a practical alternative in these situations. **July 2017:**

Ref	Applies to:	Condition	Reasons for suggested changes
		size of the replacement trees shall be included in the ULDMP prepared in accordance with Condition LV.1.	Deletion to reflect discussion with Council that any tree in parks, reserves and local roads should be replace regardless of size.
TR.3	NoR 1 NoR 2	Where any works occur within the dripline of a notable tree or trees within a Historic Heritage Overlay Extent of Place (as identified in the maps of the AUP~~Auckland Unitary Plan (Operative in Part~~), those works shall be undertaken in accordance with best arboricultural practice and the methodology for the works submitted to the Manager for certification.	**June 2017:** Amendment following discussion with Auckland council arborist to include any trees within a heritage extent of place (e.g. Waikaraka Cemetery).
Traffic Noise (Operation) (ON)			
ON.1	NoR 1 NoR 2	For the purposes of Conditions ON.2 to ON.14: (a) BPO – means the Best Practicable Option; (b) Building-Modification Mitigation – has the same meaning as in NZS 6806:2010 *Acoustics – Road-traffic noise – New and altered roads*; (c) Habitable Space – has the same meaning as in NZS 6806; (d) Noise Assessment – Means the *Traffic Noise and Vibration Assessment Report* (Technical Report 7) submitted with the NoR; (e) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the BPO for noise mitigation (i.e. Categories A, B and C); (f) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (g) P40 – means NZ Transport Agency NZTA P40:2014 Specification for noise mitigation; (h) PPFs – means only the premises and facilities identified in green, orange or red in the *Noise Assessment*; and (i) Structural Mitigation – has the same meaning as in NZS 6806.	
Structural Mitigation			
ON.2	NoR 1 NoR 2	The road-traffic noise mitigation measures identified as the 'Recommended Traffic Noise Mitigation' in the *Noise Assessment* must be implemented to achieve the Noise Criteria Categories indicated in the *Noise Assessment* ('Identified Categories'), where practicable and subject to Conditions ON.3 to ON.14.	
ON.3	NoR 1 NoR 2	Prior to Commencement of Construction, a ~~s~~Suitably ~~q~~Qualified ~~p~~Person must undertake the detailed design of the Structural Mitigation measures in the *Noise Assessment* (the 'Detailed Mitigation Options'), which, subject to Condition ON.4, must include at least: (a) Noise barriers with location, length and height in general accordance with the *Noise Assessment*; and (b) Low-noise road surfaces with location in general accordance with the *Noise Assessment*.	

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Ref	Applies to:	Condition	Reasons for suggested changes
ON.4	NoR 1 NoR 2	If it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the *Noise Assessment*, a changed design can be included in the Detailed Mitigation Options if either: (a) the changed design would result in the same Identified Category at all PPFs or better, and a ~~s~~Suitably ~~q~~Qualified ~~p~~Person certifies to the Manager that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806; or (b) the changed design would result in the Identified Category changing to a less stringent Category (e.g. from Category A to B or Category B to C at any PPF) and the Manager confirms that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806.	**June 2017:** Amended in response to the evidence of Mr Styles for Auckland Council.
Noise Mitigation Design Report			
ON.5	NoR 1 NoR 2	Prior to Commencement of Construction, a **Noise Mitigation Design Report** written in accordance with NZ Transport Agency *P40 Specification for Noise Mitigation 2014* must be provided to the Manager. The purpose of the Noise Mitigation Design Report is to confirm that the Detailed Mitigation Options meet the requirements of **ON.2**-**ON.4**. The Noise Mitigation Design Report shall include confirmation that consultation has been undertaken with affected property owners for site specific design requirements and the implementation programme. Where a Noise Mitigation Design Report is required, it shall be included in the Outline Plan for the relevant stage(s) of the Project.	
ON.6	NoR 1 NoR 2	The Detailed Mitigation Options must be implemented prior to Completion of Construction, with the exception of any low-noise road surfaces, which must be implemented within twelve months of Completion of Construction.	
ON.7	NoR 1 NoR 2	Within twelve months of Completion of Construction, a post-construction review report written in accordance with NZ Transport Agency *P40 Specification for Noise Mitigation 2014* must be provided to the Manager.	
ON.8	NoR 1 NoR 2	The Detailed Mitigation Options must be maintained so they retain their noise reduction performance as far as practicable.	
Building-Modification Mitigation			
ON.9	NoR 1 NoR 2	Prior to Commencement of Construction, a ~~s~~Suitably ~~q~~Qualified ~~p~~Person must identify those PPFs which, following implementation of all the Detailed Mitigation Options, will not achieve Noise Criteria Category A or B and where Building-Modification Mitigation might be required to achieve 40 dB $L_{Aeq(24h)}$ inside habitable spaces ('Category C Buildings').	
ON.10	NoR 1 NoR 2	Prior to Commencement of Construction in the vicinity of each Category C Building, the Requiring Authority must write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within twelve months of the date of the Requiring Authority's letter, the Requiring Authority	

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Ref	Applies to:	Condition	Reasons for suggested changes
		must instruct a ~~s~~Suitably ~~q~~Qualified ~~p~~Person to visit the building and assess the noise reduction performance of the existing building envelope.	
ON.11	NoR 1 NoR 2	For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition ON.10 if: (a) The Requiring Authority's acoustics specialist has visited the building; or (b) The building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant and the building owner has been notified of that denial); or (c) The building owner did not agree to entry within twelve months of the date of the Requiring Authority's letter sent in accordance with Condition ON.10 (including where the owner did not respond within that period); or (d) The building owner cannot, after reasonable enquiry, be found prior to Completion of Construction. If any of (b) to (d) above apply to a Category C Building, the Requiring Authority is not required to implement Building-Modification Mitigation to that building.	
ON.12	NoR 1 NoR 2	Subject to Condition ON.11, within six months of the assessment required by Condition ON.10, the Requiring Authority must write to the owner of each Category C Building advising: (a) If Building-Modification Mitigation is required to achieve 40 dB $L_{Aeq(24h)}$ inside habitable spaces; and (b) The options available for Building-Modification Mitigation to the building, if required; and (c) That the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available.	
ON.13	NoR 1 NoR 2	Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of a Category C Building, the mitigation must be implemented, including any third party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.	
ON.14	NoR 1 NoR 2	Subject to Condition ON.11, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition ON.13 if: (a) The Requiring Authority has completed Building-Modification Mitigation to the building; or (b) An alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or (c) The building owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with Condition ON.12 (including where the owner did not respond within that period); or	

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Ref	Applies to:	Condition	Reasons for suggested changes
		(d) The building owner cannot, after reasonable enquiry, be found prior to Completion of Construction.	
Construction Noise and Vibration (CNV)			
CNV.1	NoR 1 NoR 2	A **Construction Noise and Vibration Management Plan (CNVMP)** shall be prepared by a ~~s~~Suitably ~~q~~Qualified ~~p~~Person, and shall be implemented and maintained throughout the entire construction period. The purpose of the CNVMP is to provide a framework for the development and implementation of Best Practicable Option for the management of ~~measures to avoid, remedy or mitigate adverse~~ construction noise and vibration effects, and to minimise any exceedance of the criteria set out in Conditions CNV.~~5~~4 and CNV.~~6~~5.	**June 2017:** Corrected references to Conditions CNV.4 and CNV.5. **July 2017:** Amendment to reflect discussions with Auckland Council.
CNV.2	NoR 1 NoR 2	(a) The CNVMP shall be prepared in accordance with Annex E2 of New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6806:1999) and the NZ Transport Agency's *State highway construction and maintenance noise and vibration guide* (version 1.0, 2013). (b) The CNVMP shall, as a minimum, address the following: (i) Description of the works, anticipated equipment/processes and their scheduled durations; (ii) Hours of operation, including times and days when major construction activities ~~causing noise and/or vibration~~ would occur; (iii) The construction noise and vibration criteria for the project; (iv) Identification of affected houses and other sensitive locations where noise and vibration criteria apply; ~~(v) Requirement for building condition surveys at locations close to activities generating significant vibration, prior to and after completion of the works;~~ (vi) Management and ~~M~~mitigation options, including alternative strategies where full compliance with the relevant noise and/or vibration criteria cannot be achieved; (vii) A procedure for developing and implementing the management schedules (as required by conditions CNV.6A, CNV.7A and CNV.7B) ~~containing site specific information~~ forming part of this CNVMP; (viii) Methods and frequency for monitoring and reporting on construction noise and vibration; (ix) Procedures for maintaining contact with stakeholders, notifying of proposed construction activities and handling noise and vibration complaints; (x) Construction equipment operator training procedures and expected construction site behaviours; ~~and~~	**June 2017:** Condition amended in response to evidence on behalf of Auckland Council, Stratex and Fonterra, and in response to outcomes of expert conferencing on 29 May and 7 June 2017. The list of inclusions is consistent with the NZ Transport Agency's State highway construction and maintenance noise and vibration guide (version 1.0, 2013), except where a matter is already covered in other conditions (i.e. Designation Condition CNV.3 relating to permanent noise mitigation measures also attenuating construction noise). **July 2017:** Amendment to Clause (b)(ii) to indicate that the focus is on major works. This has caused problems during application of similar conditions in the past. Original Clause (v) deleted and located in condition CNV.7A. Building conditions surveys will be undertaken where a site specific plan is required. Clause (b)(vii) amended to set out the process for the site specific plans. The original wording did not reflect the process. New Clause (b)(xii) added to include training. New Clause (b)(xiii) added to link to CNV.7B to ensure that businesses are identified early during construction works.

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Ref	Applies to:	Condition	Reasons for suggested changes
		(xi) Contact details of the site supervisor or project manager and the Requiring Authority's Project Liaison Person (phone, postal address, email address); (xii) Procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers; and (xiii) Identification of businesses which operate processes, machinery or equipment that may be unreasonably disrupted by construction vibration even where the Project vibration standards are met. For any such businesses a site specific management plan in accordance with CNV.7B shall be prepared and implemented.	
CNV.3	NoR 1 NoR 2	The CNVMP shall identify which mitigation measures required by Conditions ON 1 to ON would also attenuate construction noise. Where practicable, those measures identified in the CNVMP shall be implemented prior to commencing major construction works that generate noise in the vicinity.	**June 2017:** Minor text amendment.
CNV.4	NoR 1 NoR 2	Noise arising from construction activities shall be measured and assessed in accordance with NZS 6803:1999 *Acoustics - Construction Noise* and shall comply, as far as practicable, with the noise criteria set out in the following table: **Table CNV1: Construction noise criteria** **Day** / **Time** / **$L_{Aeq(15min)}$** / **L_{AFmax}** **Residential buildings** Sundays to Thursdays: 0630h - 0730h, 55 dB, 75 dB 0730h - 1800h, 70 dB, 85 dB 1800h - 2000h, 65 dB, 80 dB 2000h - 0630h, 60 dB, 75 dB Fridays: 0630h - 0730h, 60 dB, 75 dB 0730h - 1800h, 70 dB, 85 dB 1800h - 2000h, 45 dB, 75 dB 2000h - 0630h, 45 dB, 75 dB Saturdays and Public Holidays: 0630h - 0730h, 45 dB, 75 dB 0730h - 1800h, 55 dB, 85 dB 1800h - 2000h, 45 dB, 75 dB 2000h - 0630h, 45 dB, 75 dB **Commercial and industrial receivers** All: 0730h – 1800h, 70dB 1800h – 0730h, 75 dB ***Advice Note:*** *There may be occasions when it is not practicable for construction activity to achieve the guideline criteria in the standard. In such circumstances, mitigation*	**June 2017:** Updated reference to new Condition CNV.6A in Advice Note.

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Ref	Applies to:	Condition	Reasons for suggested changes
		that is consistent with the best practicable option shall be adopted in accordance with CNV.6A.	
CNV.5	NoR 1 NoR 2	Construction vibration shall be measured in accordance with ISO 4866:2010 *Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures*, and shall, as far as practicable, comply with the Category A construction vibration criteria in Table CNV2. (a) If measured or predicted vibration from construction activities exceeds the Category A criteria, a ~~suitably qualified person~~ Suitably Qualified Person must assess and manage construction vibration during those activities. This shall involve engagement with the affected receivers to discuss the nature of the work and the anticipated days and hours when the high vibration works are likely to occur; and (b) If measured or predicted vibration from construction activities exceeds the Category B criteria ~~those activities must only proceed if vibration effects on affected buildings are assessed, monitored and mitigated by a suitably qualified person~~ then Condition CNV.7A applies. **Table CNV2 Construction Vibration Criteria** (see table below)	**June 2017:** Text in (a) capitalised as this is a defined term in the list of definitions at the beginning of the condition set. Amendments to (b) to link with new Condition CNV.7A. Table CNV amended in response to the evidence of Mr Millar for Fonterra Brands (Tip Top) NZ Limited. The inclusion of blasting criteria allow for flexibility of construction methodology for works adjacent to the Tip Top site. **July 2017:** Amendment to Clause (a) to specify the engagement with affected receivers. Amendment to Table CNV2 to replace the British Standard with the DIN Standard. The DIN standard applied in its entirety allows for higher vibration levels at times, and are suitable as trigger levels for site specific management plans.

Receiver	Details	Category A	Category B
Occupied PPFs			
~~Occupied PPFs*~~ Inside the building*	Night-time 2000h - 0630h	0.3mm/s ppv	1mm/s ppv
	Daytime 0630h - 2000h	1mm/s ppv	5mm/s ppv
	Blasting – vibration	5mm/s ppv	10mm/s ppv
Free field	Blasting - airblast	120dBL$_{Zpeak}$	-
Other occupied buildings			
~~Other occupied buildings~~ Inside the building	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
All other buildings			
~~All other buildings~~ Building foundation	~~Vibration – transient (including blasting)~~	5mm/s ppv	Tables 1 and 3 of DIN4150-3:1999** ~~BS 5228-2*~~ ~~Table B.2~~
	~~Vibration - continuous~~		~~BS 5228-2*~~ ~~50% of Table B.2 values~~

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Ref	Applies to:	Condition	Reasons for suggested changes
		Free field | Airblast | - | 133dBL$_{Zpeak}$ ** For vibration, protected premises and facilities (PPFs) are dwellings, educational facilities, boarding houses, homes for the elderly and retirement villages, marae, hospitals that contain in-house patient facilities and buildings used as temporary accommodation (e.g. motels and hotels).* ~~**BS 5228-2:2009 'Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration'.*~~ ~~**~~ *German Standard DIN 4150-3:1999 "Structural Vibration - Part 3: Effects of Vibration on Structures"*	
~~**CNV.6**~~	~~NoR 1~~ ~~NoR 2~~	~~If measured or predicted noise and vibration from a construction activity exceed the criteria in Conditions CNV.4 or CNV.5, a Schedule to the CNVMP for that activity shall be prepared in accordance with the NZ Transport Agency *State highway construction and maintenance noise and vibration guide* (Version 1.0, 2013). A schedule must establish the best practicable option for noise and vibration mitigation to be implemented for the construction activity.~~ ~~The Schedule shall be provided to the Manager for certification at least five working days, where practicable, in advance of the activity commencing.~~	**April 2017:** Amendment for consistency with scope of proposed condition. **June 2017:** Condition deleted and replaced with new Conditions CNV.6A, CNV.7A and CNV.7B. New conditions added in response to evidence on behalf of Auckland Council, Stratex and Fonterra, and in response to outcomes of expert conferencing on 29 May and 7 June 2017.
CNV.6A	NoR 1 NoR 2	(a) A Site Specific Construction Noise Management Plan (SSCNMP) shall be prepared by a Suitably Qualified Person when construction noise is either predicted or measured to exceed the criteria in Condition CNV.4, except where the exceedance of the criteria in Condition CNV.4 is no greater than 5 decibels and does not exceed: i) 0700-2200: 1 period of up to 2 consecutive weeks in any 2 months; or ii) 2200-0700: 1 period of up to 2 consecutive nights in any 10 days. (b) The objective of the SSCNMP is to set out the best practicable option for the management of noise effects of the construction activity. The SSCNMP shall as a minimum set out: i) Construction activity location, start and finish dates; ii) The predicted noise level for the construction activity; iii) Noise limits to be applied for the duration of the activity; iv) The mitigation options that have been selected and the options that have been discounted as being impracticable; v) The proposed noise monitoring regime; vi) The consultation undertaken with owners and occupiers of sites subject to the SSCNMP, and how consultation outcomes have been taken into account. (c) The SSCNMP shall be submitted to the ~~Council~~ Manager for certification at least 5 working days, where practicable, in advance of Construction Works which are covered by the scope of the SSCNMP.	**June 2017:** New condition added in response to evidence on behalf of Auckland Council and in response to outcomes of expert conferencing on 29 May and 7 June 2017.

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Ref	Applies to:	Condition	Reasons for suggested changes
CNV.7A	NoR 1 NoR 2	(a) A Site Specific Construction Vibration Management Plan (SSCVMP) shall be prepared by a Suitably Qualified Person when construction vibration is either predicted or measured to exceed the Category B criteria at the receivers in Condition CNV.5. (b) The objective of the SSCVMP is to set out the ~~b~~Best ~~p~~Practicable ~~o~~Option for the management of construction vibration effects. The SSCVMP shall as a minimum set out: i) Construction activity location, start and finish dates; ii) The predicted vibration level for the construction activity; iii) ~~Building-specific vibration criteria~~ An assessment of each building and any pipe work to determine susceptibility to damage from vibration and define acceptable vibration limits that the works must comply with to avoid damage; iv) The mitigation options that have been selected and the options that have been discounted as being impracticable; v) The proposed vibration monitoring regime; vi) The consultation undertaken with owners and occupiers of sites subject to the SSCVMP, and how consultation outcomes have been taken into account; and vi). The pre-condition survey of buildings which document their current condition and any existing damage. (c) The SSCVMP shall be submitted to the Council for certification at least 5 working days, where practicable, in advance of Construction Works which are covered by the scope of the SSCVMP.	**June 2017:** New condition added in response to evidence on behalf of Auckland Council and outcomes of expert conferencing on 29 May and 7 June. **July 2017:** Amendment to Clause (b)(iii) where the previous wording was unclear on intent. New Clause (vi) to require pre-condition surveys for buildings. Relocated from Condition CNV.2.
CNV.7B	NoR 1	(a) The SSCVMP shall also address circumstances when construction vibration is predicted to adversely affect commercial activities located within 50m of Construction Works that are verified by a Suitably Qualified Person as being uniquely sensitive to construction vibration due to the nature of specialised equipment and/or the nature of the building materials (e.g. asbestos). This shall include activities at the following sites: • Stratex Group Limited site, 19 – 21 Sylvia Park Road; and • Fonterra Tip Top site, 113 Carbine Road. (b) In addition to the requirements of CNV.7A, the SSCVMP shall include, with respect to those vibration sensitive commercial activities: i) Identification of the activities which are uniquely sensitive to construction vibration, and the reasons why; ii) An assessment of the sensitivity of the activities to construction vibration; iii) Construction vibration criteria for the vibration sensitive commercial activities; and	**June 2017:** New condition added in response to evidence on behalf of Stratex and Fonterra, and in response to outcomes of expert conferencing on 29 May and 7 June. **July 2017:** Text added in response to the Board's questioning of Mr Sion Paykel regarding asbestos.

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Ref	Applies to:	Condition	Reasons for suggested changes
		iv) A process for dealing with any disagreement which may arise, particularly in relation to the determination of the vibration limits.	

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Construction Traffic (CT)			
Construction Traffic Management Plan			
CT.1	NoR 1 NoR 2	A **Construction Traffic Management Plan** (CTMP) shall be prepared by a ~~s~~Suitably ~~q~~Qualified ~~p~~Person and in consultation with Auckland Transport. The purpose of the CTMP is to manage the various traffic management, safety and efficiency effects associated with Construction Works to: (a) Protect public safety including the safe passage of and connectivity for pedestrians and cyclists, particularly for school students travelling to and from school; (b) Minimise increases to existing delay~~s~~ to road users, public transport services, pedestrians and cyclists; (c) Minimise interruption to property access; ~~and~~ (d) Inform the public about any potential impacts on the road network; and (e) Minimise disruptions on the arterial road network and rail network.	**April 2017**: Amendment to Clause (a) in response to the submission from Ministry of Education (Submission 126360). Amendment to Clause (b) to respond to the submission from Auckland Transport (Submission 126354) **June 2017:** Amendments to CT.1(b) to reflect the agreement reach during expert conferencing for Traffic and Transport (See paragraph 2.6 of conferencing statement). New clause CT.1(e) to address the matters raised in evidence of Mr Winter on behalf of Auckland Transport and Mr Norwell for Ports of Tauranga.
CT.2	NoR 1 NoR 2	The CTMP shall: (a) Identify how Condition CT.1 will be ~~met~~ achieved; (b) Be in general accordance with the Draft Construction Traffic Management Plan Framework listed in ~~R~~DC.1; (c) Where road capacity may be significantly affected by temporary traffic management, identify potential effects of the capacity reduction, and proposed measures to minimise delays. Traffic Impact Assessment (with possible inclusion of traffic modelling) may be required, particularly where the arterial network is affected; (d) Include measures to avoid road closures and restrictions on vehicle, bus, cycle and pedestrian movements; (e) Identify site access routes and access points for heavy vehicles; (f) Identify ~~any~~ possible temporary changes to bus routes and bus stops, whether these can be safely accommodated on the relevant roads and the considerations to maintain service to key destinations and minimise of levels of service reduction; ~~(e)~~(g) Where road closures or restrictions cannot reasonably be avoided, the particular vulnerabilities and sensitivities of pedestrian diversions and reduced conditions shall be taken into account in the planning of any closures or restrictions; ~~(f)~~(h) Confirm that a safe alternative shared cycle/pedestrian path connection between Onehunga Harbour Road and Old Māngere Bridge or the New Old Māngere Bridge (if constructed) is available at all times during the Construction Works; ~~and~~ ~~(g)~~(i) Identify proposed measures to minimise the duration of closure of the existing shared path facility along the Māngere Inlet, and proposed measures to stage works and / or provide ~~alternative facilities~~ detours to minimise inconvenience. ~~Alternative facilities~~ Detours shall be sign posted, and shall where practicable, minimise the increase in length relative to the existing facility, the increase in vertical ascent, and minimise the duration of the construction period. The alternate route shall	**April 2017:** New Clause (e) added in response to the submission from Auckland Transport (Submission 126354). New Clause (f) added in response to the submission from Auckland Transport (Submission 126354). Consequential renumbering of clauses. **June 2017:** Amendment to CT.2(a) to address the matters raised in evidence of Mr Winter on behalf of Auckland Transport. Correction to reference in CT.2(b). Amendment to CT.2(c) to reflect the agreement reach during expert conferencing for Traffic and Transport (See paragraph 2.6 of conferencing statement) and address matters raised in evidence of Mr Winter on behalf of Auckland Transport. Amendment to CT.2(f) to address the matters raised in evidence of Mr Winter on behalf of Auckland Transport. Amendment to CT.2(i) to address the matters raised in evidence of Mr Winter on behalf of Auckland Transport. New Clause CT.2(j) added to address matters related to passenger rail services raised in evidence of Mr Winter on behalf of Auckland Transport, and for rail freight raised in the evidence of Mr Norwell for Ports of Tauranga. **July 2017:** Additional amendments to Clause (i) to reflect further discussions with Auckland Transport.

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		have an appropriate surface maintained throughout its period of use; ~~and the development and implementation shall consider the length and gradient of the detour, the condition and suitability of the detour, and duration of use~~; and (j) Include the process for rail closures, including how scheduled block-of-lines are to be utilised and the timing of any closures to avoid or minimise level of service reduction to passenger rail services at peak commuter times and rail freight services.	
CT.3	NoR 1 NoR 2	At least 40 working days prior to commencement of Construction Works the Requiring Authority shall provide a draft of the CTMP to Auckland Transport for comment. The CTMP shall summarise ~~describe how~~ the input and comments from Auckland Transport, describe how this has been incorporated and, where any input has not been incorporated, set out the reason why. ~~Requiring Authority shall consider any comments received from Auckland Transport in relation to local roads when finalising the CTMP.~~ Any amendments to the CTMP shall be prepared in consultation with Auckland Transport prior to submission in accordance with Condition DC.10.	**April 2017:** Amendments to respond to the submission from Auckland Transport (Submission 126354). **June 2017:** Amendment to CT.3 to address the matters raised in evidence of Mr Winter on behalf of Auckland Transport.
Site/Activity Specific Traffic Management Plans			
CT.4	NoR 1 NoR 2	(a) Site/activity specific **Traffic Management Plans** (TMPs) shall be prepared where any Project construction activity varies the normal traffic conditions of any public road. (b) The TMP shall be reviewed by an engineer with a minimum of a current Level 2/3 Site Traffic Management Supervisor Non-Practicing qualification. Any comments and inputs received from the reviewer shall be clearly documented. (c) The Requiring Authority shall provide the TMP to the relevant Road Controlling Authority for approval. (d) The purpose of the TMP is to identify specific construction methods to address the particular circumstances, local traffic and community travel demands within the area covered by the TMP. The TMP shall describe the measures that will be taken to manage the traffic effects associated with Construction Works within the area covered by the TMP. (e) In particular the TMP shall describe: (~~a~~i) Temporary traffic management measures required to manage impacts on road users during proposed working hours; (~~b~~ii) Temporary effects on on-street parking and proposed measures to minimise those effects; ~~(b)~~(iii) Delay calculations associated with the proposed closure/s and detour routes; ~~(c)~~(iv) The capacity of any proposed detour route(s) and their ability to carry the additional traffic volumes and any known safety issues associated with the detour route, including any mitigation measures the Requiring Authority proposes to put in place to address any identified safety issues; ~~(d)~~(v) Individual traffic management plans for intersections of the Project with arterial roads;	**April 2017**: New Clause (b) added in response to the submission from Auckland Transport (Submission 126354). New Clause (g) added in response to the submission from Fonterra Brands (Tip Top) New Zealand (Submission 126357). Amendment to Clause (i) added in response to the submission Heavy Haulage (Submission 126376). Consequential renumbering of clauses. **June 2017:** Amendment to CT.4(f) to reflect conferencing – Property owners or occupiers need to be assured that appropriate property access will be maintained/provided at all times unless agreements are reached for alternative arrangements. New Condition CT.4(g) included in response to evidence from Mr Arbuthnot on behalf of Port of Auckland. **July 2017:** Amendment to CT.4(g) in response to the legal submission from Sanford Limited. Additional Clauses (b) and (c) added in response to legal submissions from Sanford Limited, Ports of Auckland Limited and Turners & Growers. Condition renumbered to reflect new clauses. Clause (e)(vii) amended to respond to legal submissions from Sanford Limited.

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		~~(e)~~(vi) Measures to maintain, ~~where practicable~~, subject to health and safety requirements, existing vehicl~~e~~ular access to adjacent properties and businesses to accommodate the types of vehicles normally accessing the site during normal working hours for that site unless alternative access arrangements are agreed; (vii) Measures to maintain 24 hour per day access for road legal vehicles from Onehunga Harbour Road to Onehunga Wharf for existing businesses and for emergency vehicles. If ~~the~~ any particular access point cannot be maintained or reconfigured, appropriate alternative arrangements for continued access to the wharf are to be made where practicable. Short term closures of access to the wharf may occur only after prior ~~in~~ consultation with existing business operators regarding the timing and duration of the proposed closure. Unless otherwise agreed with existing business owners, no closure of access to the wharf shall exceed a duration of 4 hours within any 24 hour period; ~~(g)~~(viii) Measures to minimise the temporary effects of Construction Works on on-site parking on directly affected properties and opportunities to provide alternative temporary parking where practicable to do so; ~~(f)~~(ix) Measures to maintain, where practicable, safe and clearly identified pedestrian and cyclist access on roads and footpaths adjacent to the Construction Works. Where detours are necessary to provide such access the Requiring Authority shall provide, as far as practicable, the shortest and most convenient detours; ~~(g)~~(x) Consideration of over dimension and overweight routes including any feedback received from established organisations representing the freight industry; ~~(h)~~(xi) Any proposed temporary changes in speed limit; ~~(i)~~(xii) Provision for safe and efficient access of construction vehicles to and from construction site(s); ~~(j)~~(xiii) The measures that will be undertaken by the Requiring Authority to communicate traffic management measures to affected road users, cyclists and pedestrian and other stakeholders; and ~~(k)~~(xiv) The consultation undertaken with CLGs, business forums and affected properties owners/occupiers in relation to proposed temporary traffic management and measures that will be undertaken to address issues raised.	
Construction traffic - general requirements			New heading added for clarity.
CT.5	NoR 1 NoR 2	The CTMP and TMP(s) shall be consistent with the version of the NZ Transport Agency *Code of Practice for Temporary Traffic Management* or the Auckland Transport *Auckland Transport Code of Practice* (which applies at the time the CTMP or the relevant TMP is prepared.	
CT.6	NoR 1 NoR 2	The site/activity specific TMP(s) shall be prepared following consultation with the following key stakeholders (as relevant): (a) Auckland Transport (where local roads and paths will be affected); (b) National Road Carriers Incorporated and NZ Heavy Haulage Association;	**June 2017:** Amendment to clarify that the consultation requirements in CT.6 apply to the TMPs prepared under Condition CT.4. Added in response to evidence from Mr Arbuthnot for Ports of Auckland.

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		(c) Public transport providers (where public transport services will be affected); (d) Emergency services (police, fire and ambulance); and (e) Schools and childcare centres with frontage or access to roads within which works in relation to the relevant part of the Project will take place; and (f) Directly affected property and business owners and operators.	
CT.7	NoR 1 NoR 2	The Requiring Authority shall implement each TMP for the duration of the Construction Works to which the particular TMP applies.	
~~**CT.8**~~	~~NoR 1~~ ~~NoR 2~~	~~Prior to the use of any site access points from local roads, the Requiring Authority shall prepare a photographic record of the pre-construction state of those access points. This shall be provided to the Manager prior to Commencement of Construction at that location. A copy of the record shall also be provided to Auckland Transport.~~	**April 2017:** New condition added in response to the submission from Auckland Transport (Submission 126354). **June 2017:** Condition CT.8 deleted following further discussion with Auckland Transport regarding the form of any preconstruction condition survey. Both parties agree that the timing and methodology for any survey is a matter for a Project specific agreement as it relates to AT assets, some of which are being upgraded as part of the Project.
CT.9	NoR 1 NoR 2	Any damage ~~in the~~ to a local road ~~and~~ or arterial road ~~corridor beyond the boundary of the designated land~~ which is verified by a Suitably Qualified Person as being directly attributable to heavy vehicles entering or exiting construction sites shall be repaired within two weeks or within an alternative timeframe to be agreed with Auckland Transport. All repairs shall be undertaken by the Requiring Authority in accordance with the *Auckland Transport Code of Practice*.	**April 2017:** New condition added in response to the submission from Auckland Transport (Submission 126354). **June 2017:** Amendment to CT.9 to address the matters raised in evidence of Mr Winter on behalf of Auckland Transport. **July 2017:** Correction.
	NoR 1 NoR 2	***Advice Note:*** *In addition to the RMA processes, there are other additional processes applying to any work or activity that affects the normal operation of a local road, footpath or berm. For such activities, a Corridor Access Request must be submitted to the Road Controlling Authority under the National Code of Practice for Utility Operators' Access to Transport Corridor to ensure that all work is done safely and complies with national regulations.*	

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Resource Consent Conditions

Guide to Reading the Resource Consent Conditions

The proposed resource consent conditions are numbered as follows:

Set of proposed conditions	Numbering format	Reasons for suggested changes
General Resource Consent Conditions	RC	
Mana Whenua Collaboration	MW	
Contaminated Land	CL	
Earthworks, Vegetation Alteration and Removal	E	
Coastal Activities	C	
Dredging	D	
Ecological Management	EM	
~~Dams – Stormwater Treatment Wetlands and Miami Stream~~	~~D~~	**June 2017:** Deleted as no specific dam conditions are included.
Works in Watercourses	WW	
Groundwater and Settlement	G	
Air Quality	AQ	
Storage and Manufacture of Concrete	CB	
Leachate	L	
Stormwater and Impervious Surfaces	SW	

Resource Consent Conditions – Definitions

The table below defines the acronyms and terms used in the conditions.

Acronym/term	Definition	Reasons for suggested changes
Anns Creek East Construction Restriction Area	The area of land shown on the drawing titled *Anns Creek East Construction Restriction Area*, dated April 2017.	**April 17:** Definition added to clarify extent of the restriction area referred to in EM conditions.
Application	The Application for Resource Consents and supporting information dated December 2016.	
As-Built Plans	A final set of drawings submitted upon completion of a project. They reflect all changes made in the specifications and working drawings during the construction process, and show the exact dimensions, geometry, and location of all elements of the completed work.	
ARI	Annual Recurrence Interval	
BPO or Best Practicable Option	~~Best Practicable Option~~ Has the same meaning as in section 2 of the Resource Management Act 1991	**July 2017:** Definition added to assist in reading the conditions.
CEMP	The Construction Environmental Management Plan.	

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Acronym/term	Definition	Reasons for suggested changes
CMA	Coastal Marine Area	
Commencement of Construction	The time when Construction Works (excluding Site Investigations and Enabling Works) commence.	
Completion of Construction	When construction of the Project (or part of the Project) is complete and the State highway is available for use.	
Construction Works	One or more of the various activities undertaken in relation to the Project under these resource consents.	
Council	Auckland Council	
Enabling Works	Includes the following and similar activities: • Demolition and removal of buildings and structures, • Relocation of underground and overhead services; and • The establishment of site entrances and fencing.	
East West Link or EWL	East West Link Project being the construction, operation and maintenance of a new State highway and associated works between State Highway 2 (SH20) in Onehunga, and State Highway 1 (SH1) in Mt Wellington (the East West Link Main Alignment), and associated works on SH1 between Mt Wellington and the Ōtāhuhu Interchange at Princes Street.	**July 2017:** Amendment to expand the Project definition.
EWL	East West Link Project	
EWL Embankment	The constructed road located long the Mangere Foreshore between Chainage 850 and 3625.	**July 2017**: Definition added to assist in the intepretationof CL conditions
Organic flocculants	Flocculants that are derived from living matter and contain carbon, including but not limited to Polyamine and PolyDADMAC.	
~~HNZPT~~	~~Heritage New Zealand Pouhere Taonga~~	**April 17:** Deleted because HNZPT does not appear in the resource consent conditions.
Manager	The Manager – Resource Consents, ~~Team Manager, Major Infrastructure Projects~~ of the Auckland Council, or authorised delegate.	**July 2017:** Change to reflect the relevant Council manager.
Mana Whenua Group	The group established under Condition MW.1.	
Operation/Operational	When construction of the Project is complete and the State highway is open to traffic.	
Project	The construction, maintenance and operation of the East West Link Project and associated works.	
Project Liaison Person	The person appointed by the Consent Holder for the duration of the construction phase of the Project to be the main and readily accessible point of contact for persons affected by the construction work.	
Project stage	A separable part of the Project (e.g. by contract area or by geographical extent).	
RMA	The Resource Management Act 1991.	
Site Investigations	Includes geotechnical investigations (outside the Auckland Unitary Plan (Operative in Part) Historic Heritage Overlay Extent	**June 2017:** Amendment to use the overlay title from the AUP.

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Acronym/term	Definition	Reasons for suggested changes
	of Place), identifying service locations, surveys, monitoring activities, surveys and other similar activities.	
Suitably Qualified Environmental Practitioner	In relation to contaminated land, as set out in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.	
Suitably ~~q~~Qualified ~~p~~Person	A person: • With a recognised qualification in the subject matter of the condition; or • With recognised experience in the subject matter of the condition; or • Is a member of relevant professional body for the subject matter of the condition.	
Working day	Has the same meaning as under section 2 of the Resource Management Act 1991.	

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General Resource Consent Conditions (RC)

These general conditions apply to all resource consents unless specified otherwise. Additional conditions which apply to specific resource consents are set out in following pages.

Ref	Condition	Reasons for suggested changes
General and Administration		
RC.1	Except as modified by the conditions below, and subject to final design, the Project shall be undertaken in general accordance with information provided by the Consent Holder in the Application for Resource Consents dated December 2016, and in particular, the following supporting documents: (a) Part D: Description of the Project in Volume 1: Assessment of Effects on the Environment Report dated December 2016; (b) The following plan sets in Volume 2: Drawing Set: i) Plan Set 3: Road Alignment ii) Plan Set 4: Landscape iii) Plan Set 5: Coastal Occupation iv) Plan Set 6: Plan and Long Section v) Plan Set 7: Typical Cross Section vi) Plan Set 8: Structural vii) Plan Set 9: Stormwater viii) Plan Set 10: Erosion and Sediment Control (c) The Key Design Principles and Sector Outcomes of the Project's Urban and Landscape Design Framework dated November 2016 and Addendum dated December 2016. (d) The Draft Contaminated Land Management Plan. These conditions shall apply to all that land identified in the schedule contained in the Application for Resource Consents dated December 2016 unless specified otherwise in a specific condition.	**June 2017:** Amendments to maintain consistency with similar DC.1 condition.
RC.2	The Project website shall include these conditions and the plans and reports referred to in these conditions prior to and throughout Construction Works, and a hard copy shall be available at the Project site office(s).	
RC.3	Where there is inconsistency between: (a) The documents listed in Condition RC.1 above and these conditions, these conditions shall prevail; (b) The information and plans lodged with the Application and further information provided post lodgement, the most recent information and plans shall prevail; and (c) The draft management plans and/or management plan frameworks lodged with the Application and the management plans required by the conditions of these resource consents, the requirements of the management plans as set out in the relevant conditions shall prevail.	
RC.4	The Consent Holder shall provide regular updates on construction activities and programme to the Manager, and shall also include a summary of this information on the Project website.	
Pre-construction Administration		

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Ref	Condition	Reasons for suggested changes
RC.5	The Consent Holder shall notify the Manager in writing of the proposed date of Commencement of Construction at least 20 working days prior to the proposed start date.	
RC.6	Within 15 working days prior to Commencement of Construction, the Consent Holder shall arrange and conduct a prestart meeting that: (a) Is located on the subject site; (b) Is scheduled not less than five days before the anticipated Commencement of Construction; (c) Includes Council representatives; (d) Includes representation from the contractors who will undertake the works; and (e) Includes an invitation to Mana Whenua. The pre-commencement meeting shall discuss the works methodology and shall ensure all relevant parties are aware of and are familiar with the conditions of the resource consents. In the case that any of the invited parties, other than the representative of the Consent Holder, does not attend this meeting, the Consent Holder will have been deemed to have complied with this condition, provided reasonable notice is given to the parties listed above.	
Annual Monitoring Report		
RC.7	The Consent Holder shall provide to the Manager by either 30 June each year, or on an alternative date as otherwise agreed to by the Manager, an **Annual Monitoring Report**. The purpose of this report is to provide an overview of the monitoring and reporting work undertaken, and any environmental issues that have arisen during Construction Works. As a minimum this report shall include: (a) All monitoring data required in accordance with the conditions of this consent; (b) Any reasons for non-compliance or difficulties in achieving compliance with the conditions of this resource consent; (c) Measure taken to address compliance issues; (d) Any works that have been undertaken to improve the environmental performance of the site or that are proposed to be undertaken in the coming year; (e) Recommendations on alterations to the monitoring required; and (f) Any other issues considered important by the Consent Holder.	
Consent Lapse		
RC.8A	Pursuant to section 125(1) of the RMA~~Act~~, the consents shall lapse 15 years from the date of the commencement of the consent (in accordance with section 116 of the RMA~~Act~~) unless they have been given effect, surrendered or been cancelled at an earlier date.	**April 17:** Amend for consistency with definitions.
RC.8B	Pursuant to section 125(1) of the RMA~~Act~~, the consents shall lapse 35 years from the date of the commencement of the consent (in accordance with section 116 of the RMA~~Act~~) unless they have been given effect, surrendered or been cancelled at an earlier date.	
Management Plan ~~Approval~~ Certification Process		**June 2017:** Amended to use consistent terminology throughout management plan conditions.
RC.9	(a) Conditions (b) to (e) below shall apply to all management plans required by these conditions.	**April 17:**

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Ref	Condition	Reasons for suggested changes
	(b) All management plans ~~must~~ shall be prepared in consultation with Council and ~~be~~ submitted to the Manager to certify compliance and consistency with the applicable requirements of these conditions at least 20 working days prior to Commencement of Construction (excluding Site Investigations and Enabling Works). (c) Any certified Management Plan may be amended if necessary to reflect any changes in design, construction methods or management of effects. Any amendments are to be discussed with and submitted to the Manager for information, unless those amendments once implemented would result in a materially different outcome to that described in the original plan. (d) Any material changes to a certified management plan shall be submitted to the ~~Council~~ Manager for certification. Any material change must be consistent with the purpose of the relevant management plan and the requirements of the relevant conditions of these consents. (e) All works shall be carried out in accordance with the certified management plans.	Clause (b) amended to respond to the submission from Auckland Council (Submission 126336). Amendment to Clause (d) to maintain consistency with other conditions.
RC.9A	Management Plans may be submitted in parts or in stages to address particular activities or to reflect the staged implementation of the Project. Management Plans submitted shall clearly show the integration with adjacent stages and interrelated activities.	**July 2017:** Condition added in response to a query from the Board. This condition is similar to DC.8 (staged Outline Plans) and provides that management plans can be staged to reflect the construction staging and activities.
Construction Environmental Management Plan (CEMP)		
RC.10	(a) The Consent Holder shall prepare a **Construction Environmental Management Plan** (CEMP) or Plans for the relevant Project stage (excluding Site Investigations and Enabling Works), and submit this to the Manager in accordance with the ~~requirements of~~ process set out in RC.9. (b) The purpose of the CEMP is to set out the management procedures and construction methods to be undertaken in order to avoid, remedy or mitigate potential adverse effects arising from construction activities.	**July 2017:** Amendment to clarify that it is the process set out in RC.9 that applies.
RC.11	The CEMP shall be prepared in accordance with the NZ *Transport Agency's Guideline for preparing Environmental and Social Management Plans* (dated April 2014) and include: (a) Confirmation of the proposed staging and sequence of construction; (b) An outline construction programme; (c) Contact details of the site supervisor or project manager and the Consent Holder's Project Liaison Person (phone, postal address, email address); (d) Methods and systems to inform and train all persons working on the site of potential environmental issues and how to avoid remedy or mitigate any potential adverse effects; (e) The proposed hours of work; (f) Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal / storage of rubbish, storage and unloading of construction materials and similar construction activities; (g) Location of construction site infrastructure including site offices, site amenities, contractors' yard access, equipment unloading and storage areas, contractor car parking and security; (h) Procedures for controlling sediment run-off, dust and the removal of soil, debris, demolition and construction materials (if any) from public roads or places adjacent to the work site;	**July 2017:** Clause (k) added in response to legal submissions from Fonterra Brands (Tip Top) limited.

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Ref	Condition	Reasons for suggested changes
	(i) Procedures for ensuring that residents, network utility operators, road users and businesses in the immediate vicinity of construction areas are given prior notice of the Commencement of Construction and are informed about the expected duration and effects of the work; (j) Means of providing for the health and safety of the general public; (k) Proposed temporary or permanent fencing along the boundary of the designation with adjacent sites in order to delineate site boundaries, maintain site security, prevent unauthorised access, and to avoid intrusion of Construction Works beyond the designated land; (~~k~~l) Measures to manage the potential impacts of construction on Council trees and vegetation; (~~l~~m) Methods and measures to avoid, remedy and mitigate adverse effects on landscape amenity during the construction phase of the Project; (~~m~~n) Procedures for the refuelling of plant and equipment; (~~n~~o) Measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; (~~o~~p) Procedures for the maintenance of machinery to avoid discharges of fuels of lubricants to watercourses and/or the Coastal Marine Area (CMA); (~~p~~q) Procedures for responding to complaints about construction activities; and (~~q~~r) Procedures for incident management.	
RC.12	The CEMP shall incorporate or refer to the following management plans: (a) Contaminated Land Management Plan (refer to Condition CL.1); (b) Coastal Work CEMP (refer to Condition C.4); (c) Groundwater and Settlement Management Plan (refer to Condition G.1); (d) Construction Air Quality Management Plan (refer to Condition AQ.2); (e) Ecological Management Plan (refer to Condition EM.2) including the Lizard Management Plan (refer to Condition EM.4); The CEMP shall: (i) Demonstrate how the incorporated or referenced management plans will be jointly implemented to achieve integrated management of construction effects; and (ii) Describe for information purposes how those plans integrate with management plans provided by the NZ Transport Agency as part of the Outline Plan process for Construction Works within the designation for the Project. If a CEMP is submitted in part or for a Project stage, it shall only incorporate or refer to the management plans relevant to the part or stage.	
RC.13	Where Enabling Works or Site Investigations are to be undertaken prior to commencement of the main construction works, a site-specific CEMP commensurate with the scale and effects of the proposed works, may be submitted for the certification of the Manager. In some cases, with the approval of the Manager, a site-specific CEMP may not be required.	
RC.14	Any material changes to the management plans shall remain consistent with the overall intent of the relevant management plan and shall be consistent with the requirements of the relevant conditions of this consent. The Consent Holder shall advise the ~~Council~~ Manager of any	**April 17:** Amendment to condition to maintain consistency with other conditions. **July 2017:**

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Ref	Condition	Reasons for suggested changes
	amendments made, and any material changes shall be submitted to the ~~Council~~ Manager for approval in accordance with the process set out in Condition RC.9 above.	Amendment to clarify that it is the process set out in RC.9 that applies.
Review of Conditions		
RC.15	The Council may review any or all conditions of this consent by giving notice of its intention to do so in accordance with section 128 of the RMA, at any time within six months of the first, third, fifth and tenth anniversaries of the date of Commencement of Construction to deal with any unforeseen adverse effects on the environment, which may arise from the exercise of this consent, and which it is appropriate to deal with at a later date.	

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Mana Whenua Collaboration (MW)

Ref	Condition
MW.1 – MW.~~5~~10	*The Mana Whenua conditions MW.1 to ~~5~~ MW.10 will also apply to the resource consents and will be included here once the wording is finalised with any amendments agreed prior to a decision on the applications.~~]~~*

Reasons for suggested changes

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Contaminated Land (CL)

Ref	Condition	Reasons for suggested changes
Contaminated Land Management Plan		
CL.1	Prior to excavation ~~and the Commencement of Construction~~ in areas of known or potentially contaminated land, the Consent Holder shall engage a Suitably Qualified Environmental Practitioner (SQEP) to prepare a **Contaminated Land Management Plan** (CLMP). The purpose of the CLMP is to detail the measures to manage health, safety, and environmental risk associated with works in contaminated material ~~at the site~~ in the Project area, including closed landfills, during construction.	**April 17:** Amended to remove reference to Commencement of Construction, with excavation being the trigger for the CLMP. **June 2017:** Amendment to clarify that closed landfills are within the scope of the CLMP.
CL.2	The CLMP shall be in general accordance with the draft Contaminated Land Management Plan listed in Condition RC.1, and shall include ~~information regarding~~: (a) Any soil, groundwater and landfill gas investigations undertaken in closed landfills and uncontrolled fill at Gloucester Park North and South to characterise potential hazards associated with works in those areas and to inform development of the CLMP; ~~(a)~~(b)The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during Construction Works; ~~(b)~~(c) The soil validation testing that will be undertaken; ~~(c)~~(d) The soil verification testing that will be undertaken to determine the nature of any contamination in excavated spoil and the potential reuse or disposal options for that spoil; ~~(d)~~(e) Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to: i) Assist with identification of unknown contaminated material; ii) Stop work or isolate the area once any such material is identified; ~~(e)~~(f) The measures to be undertaken to: i) Protect the health and safety of workers and the public; ii) Control stormwater run-on and run-off; iii) Remove or manage any contaminated soil. ~~(f)~~(g) The measures to be undertaken to: i) Identify any suspected asbestos; ii) Identify the type of asbestos and confirm the appropriate means by which it shall be removed; iii) Handle asbestos containing material; iv) Implement appropriate health and safety measures to maintain the safety of workers and the public; and v) Remove the asbestos and dispose of it to an appropriately licensed facility.	**April 17:** New Clause (a) added to respond to the evidence of Dr Wallis (Contaminated Land). Consequential renumbering of clauses. **June 2017:** Amendment in response to the evidence of Ms Eldridge for Auckland Council and to reflect the agreed outcome in Paragraph 5.2 of Expert Conferencing Joint Witness Statement – Closed Landfills, dated 25 May 2017.
CL.3	The CLMP shall be submitted to the Manager for certification in accordance with the process set out in Condition RC.9.	**July 2017:** Amendment to clarify that it is the process set out in RC.9 that applies.

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Ref	Condition	Reasons for suggested changes
CL.4	All sampling and testing of contamination on the site shall be overseen by a ~~s~~Suitably ~~q~~Qualified ~~p~~Person. All sampling shall be undertaken in accordance with *Contaminated Land Management Guidelines No. 5 Site Investigation and Analysis of Soils* (Revised 2011).	
CL.5	Excess soil or waste materials removed from the subject site shall be deposited at a disposal site that holds a resource consent to accept the relevant level of contamination.	
CL.6	Where contaminants are identified that have not been anticipated by the CLMP, works in the area containing the unexpected contamination shall cease until the contingency measures outlined in the approved CLMP have been implemented, and the discovery and contingency measures undertaken have been notified to the Manager.	
CL.8	To protect the health of workers on the site during excavations, works shall be managed to minimise the generation of dust on the site and be carried out in accordance with the approved CLMP.	
~~L.2~~CL.9	Where the Construction Works require the removal of existing Auckland Council closed landfill groundwater monitoring bores, the Consent Holder shall relocate the monitoring bores (and associated access infrastructure) in consultation with Council. The relocation shall provide for the progressive decommissioning and replacement of the bores and, as far as is practicable, continuity in monitoring data. As part of this, a programme of progressive decommissioning and replacement of monitoring points shall be provided to Council in advance of Construction Works within closed landfills. The Consent Holder ~~and~~ shall provide access to the Council or its agent to the relocated ~~.Access to Council closed landfill groundwater~~ monitoring bores ~~shall be provided~~ for the duration of Construction Works, subject to health and safety requirements. Where existing or relocated monitoring bores or monitoring points fall within the construction area, and health and safety requirements prevent access by Council or its agent, the Consent Holder shall undertake, on behalf of the Council, monitoring required by conditions of the Council's discharge consents for the closed landfills, and shall provide these records to Council.	**June 2017:** Condition relocated from Leachate conditions. Amendments to respond to the evidence of Ms Eldridge for Auckland Council. Amendment to refer to health and safety requirements. **July 2017:** Amendments in response to further discussion with Auckland Council.
CL.10	The design for the EWL Embankment along the Mangere Inlet foreshore shall: (a) Be in general accordance with the drawings and mitigation measures outlined in the documents listed in Condition RC.1 and referred to in Condition RC.3; (b) Aim to minimise the impact of the EWL Embankment on: (i) Upstream groundwater levels; (ii) The potential for development of preferential flow paths along existing stormwater infrastructure; and (iii) The potential for groundwater contamination and/or leachate seepage in relation to the closed landfills.	**July 2017:** New condition added in response to further discussion with Auckland Council.
CL.11	(a) The Consent Holder shall consult with Council during detailed design of the leachate interception drain and associated pipework. The detailed design shall achieve the following desired outcomes: (i) Provide best practicable interception of leachate from the Pikes Point West and East Closed Landfills, at least to the existing level of interception collection; (ii) Provide for conveyance of the collected leachate to the stormwater treatment system with contingency measures in place to allow discharge to trade waste;	**July 2017:** New condition added in response to further discussion with Auckland Council.

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Ref	Condition	Reasons for suggested changes
	(iii) Allow for monitoring of leachate quality and quantity as set out in Condition L.2 of the associated discharge consent; (b) The leachate interception drain and associated pipework shall be designed for durability, ease of maintenance and access, and minimise ongoing operation and maintenance requirements.	
CL.12	If Municipal Solid Waste material remains beneath the EWL Embankment and the replacement Pikes Point Closed Landfill interception drain does not capture leachate from that material then: (a) Up to three groundwater wells shall be installed beneath the EWL Embankment for monitoring purposes; (b) The water levels in the wells shall be monitored at 6 monthly intervals for a minimum of 2 years following Completion of Construction; (c) If water is detected in the wells, samples shall be analysed for total ammoniacal nitrogen (NH4N) and the result compared with the trigger level established under (d) below; (d) The trigger level NH4N concentration shall be derived from the Australian and New Zealand Environmental Conservation Council, Australian Guidelines for Fresh and Marine Waters, 2000 (ANZECC 2000) marine water quality guideline, 90% level of protection (1.2 mg/L) allowing for attenuation downgradient of the EWL Embankment and reasonable mixing in the receiving water; (e) If a trigger level exceedance occurs, then further monitoring of the water quality in the marine receiving environment shall be undertaken to identify if an adverse effect is occurring; (f) If the monitoring indicates that an adverse effect is occurring and is verified by a Suitably Qualified Person as being directly attributable to the Municipal Solid Waste material which remains beneath the EWL Embankment, a remedial action plan shall be developed and implemented to mitigate that adverse effect. This may include, for example, extraction of leachate from the wells until such time as NH4N drops below the trigger level; (e) If there are no trigger level exceedances over the 2 year period then monitoring shall be discontinued; and (f) In the event of a trigger level exceedance, the monitoring shall be extended for 6 months from the date of the last exceedance. The results of the monitoring shall be provided to the Manager on request.	**July 2017:** New condition included in response to the agreed outcomes from the Closed Landfill conferencing.

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Earthworks, Vegetation Alteration and Removal (E)

Ref	Condition	Reasons for suggested changes
Erosion and Sediment Control		
E.1	During construction the Consent Holder shall take all practicable measures to minimise erosion and prevent the discharge of sediment beyond the boundaries of the site.	
E.2	Erosion and sediment control measures shall be implemented throughout Construction Works. They shall be constructed and maintained so as to operate and perform in accordance with Auckland Council *GD2016/005: Erosion Sediment Control Guide for Land Disturbing Activities in the Auckland Region* and any amendments to this document, except where a higher standard is detailed in the conditions below in which case the higher standard shall apply.	
Site Specific Erosion and Sediment Control Plans – Design		
E.3	Prior to the Commencement of Construction for each specific area and/or activity, a **Construction Erosion and Sediment Control Plan** (CESCP) or plans shall be prepared by a ~~s~~Suitably ~~q~~Qualified ~~p~~Person. The purpose of the CESCP is to set out the measures to be implemented during construction to minimise erosion and the discharge of sediment beyond the boundaries of the site. Unless agreed otherwise with the Manager, ~~T~~the CESCPs shall include, but not be limited to the following information as appropriate to the scale, location and type of earthworks: (a) Contour information at suitable intervals; (b) Erosion and sediment controls including specific design (location, dimensions, capacity); (c) Supporting calculations and design drawings; (d) Catchment boundaries for the sediment controls; (e) Location of the works, and cut and fill operations; (f) Details of measures for contaminated land as identified in the CLMP under Condition CL.1; (g) Details of construction methods to be employed, including timing and duration; (h) A programme for managing exposed area, including progressive stabilisation considerations; (i) Identification of the ~~s~~Suitably ~~q~~Qualified ~~p~~Persons to manage the environmental issues on site; (j) Identification of the persons who have clearly defined roles and responsibilities to monitor compliance with the CESCP; (k) Details of the chain of responsibility for managing environmental issues and details of responsible personnel; and (l) Monitoring and maintenance requirements.	**July 2017:** Amendment to clarify that the information included in the CESCPs shall be appropriate to the nature of the works being undertaken.
E.4	The Consent Holder shall submit the CESCP to the Manager for certification at least 10 working days prior to Commencement of Construction associated with each specific area and/or activity. No earthworks activity on the subject site shall commence until written approval is received from the Manager.	**July 2017:** Amendment to clarify that the CESCPs require approval prior to any works which are the subject of the CESCPs.

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Ref	Condition	Reasons for suggested changes
Flocculation Treatment Plan		
E.5	Where flocculant treatment is proposed for use on site, the CESCP shall include a **Flocculation Treatment Plan** which shall include as a minimum: (a) Specific design details of the flocculation treatment system based on a rainfall activated and manual batch dosing methodology for the site's Sediment Retention Ponds (SRPs), Decanting Earth Bunds (DEBs) and any other sediment detention or flow device systems as may be employed on site; (b) Monitoring, maintenance (including post storm) and contingency programme (including a record sheet) for the flocculation treatment system; (c) Consideration of the use of organic flocculants where practicable, provided that the most effective flocculent in terms of sediment removal shall be selected based on (e) below; (d) Details of optimum dosage (including assumptions); (e) Results of any initial treatment trials; (f) A spill contingency plan; (g) Details for the checking and calibration of dosing and monitoring equipment; and (h) Details of the person or bodies that will hold responsibility for the operation and maintenance of the flocculation treatment system. The Flocculation Treatment Plan shall be submitted to the Manager for certification in accordance with the process set out in Condition E.4.	**July 2017:** Correction to abbreviation.
Erosion and Sediment Control Device Requirements		
E.6	Unless otherwise agreed with the Manager, the Consent Holder shall design, construct and maintain all erosion and sediment control devices to achieve compliance with the documents set out in Condition E.2 and also with the following design requirements (some of which do not form part of those documents): (a) All erosion and sediment control devices shall be located outside the 20 year ARI flood level, unless no other viable location exists; (b) Clean and dirty water diversion channels, shall be sized to accommodate the flow from a 100 year ARI storm event where practicable, and at a minimum, the flow from a 20 year ARI storm event and an additional 300mm freeboard; (c) All temporary stream crossings and temporary culverts shall be sized to accommodate the flow from a 20 year ARI storm event and include a stabilised overland flow path for runoff exceeding the flow expected in a 20 year ARI storm event; (d) At all practical times, streamworks activities and associated works shall be undertaken with stream diversions in place to accommodate up to the 20 year ARI rain event. All stream flows above the 20 year ARI rain event shall be diverted, via systems (such as overland flow paths) capable of conveying the 100 year ARI rain event flow around the works area; (e) Pumping of all sediment laden runoff and groundwater during Construction Works shall be to SRPs, DEBs, grass buffer zones or temporary sediment retention devices such as container impoundment systems; (f) All DEBs and SRPs that serve a catchment area greater than 500m^2 shall be treated via a rainfall activated flocculation treatment system. SRPs shall each have two flocculation sheds (or equivalents) installed;	

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Ref	Condition	Reasons for suggested changes
	(g) All DEB volumes are to be designed based on 2% of the contributing catchment area and all DEBs shall be fitted with floating decants that are designed to discharge at a rate of 3 litres/sec/ha; (h) All construction yard areas shall achieve the detention requirements as detailed within the NZ Transport Agency's *Erosion and Sediment Control Guidelines for State Highway Infrastructure* (2014); (i) All SRP volumes are to be designed based on 3% of the contributing catchment area and will contain reverse slopes in the base of ponds, baffles and decant pulley systems and a forebay with a volume of 10% of the pond volume; (j) All dirty water diversion channels shall be designed and constructed with sediment sumps at locations specified in the CESCP with a minimum volume of $2m^3$ per sump; and (k) The erosion and sediment control for the site shall include the installation of a last line of defense, which shall include protection of the freshwater receiving environments with additional bunding, silt fence, super silt fence or alternative as defined in the CESCP for that particular stage.	
As-Built Certification		
E.7	Prior to earthworks commencing (excluding the construction of the erosion and sediment controls), a certificate signed by an ~~s~~Suitably ~~q~~Qualified ~~p~~Person shall be submitted to the Manager, to certify that the erosion and sediment controls have been constructed in accordance with Condition E.2. Certified controls shall include sediment retention ponds, flocculation treatment systems, decanting earth bunds, super silt fences, silt fences and diversion channels/bunds.	
E.8	The operational effectiveness and efficiency of all erosion and sediment control measures specifically required as a condition of resource consent or by the CESCP referred to in Condition E.3 shall be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.	
Inspection and Monitoring		
E.9	There shall be no deposition of earth, mud, dirt or other debris on any road or footpath beyond the boundary of the site resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.	
E.10	The sediment and erosion controls at the site of the works shall be inspected on a regular basis and within 24 hours of each rainstorm event that is likely to impair the function or performance of the erosion and sediment controls. A record shall be kept of the date, time and any maintenance undertaken in association with this condition, and shall be forward to the Manager on request.	
E.11	The Consent Holder shall carry out monitoring in accordance with the ESCP and shall keep records detailing: (a) The monitoring undertaken; (b) The erosion and sediment controls that required maintenance;	

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Ref	Condition	Reasons for suggested changes
	(c) The time when the maintenance was completed; and (d) Areas of non-compliance with the erosion and sediment control monitoring plan (if any) and the reasons for the non-compliance. This information shall be made available to the Manager upon request.	
Stabilisation and Decommissioning		
E.12	The site shall be stabilised against erosion as soon as practicable, and in a progressive manner, as earthworks are finished over various areas of the site. Areas of bulk earthworks not actively worked for a period of two weeks shall be stabilised until such time as further earthworks occur in a specific area.	
E.13	Upon completion or abandonment of earthworks on the Project site all areas of bare earth shall be permanently stabilised against erosion to the satisfaction of the Manager	
E.14	Notices shall be given to the Manager prior to any erosion and sediment control measures being removed and/or on completion of the works.	

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Coastal Activities (C)

Ref	Condition	Reasons for suggested changes
Detailed Engineering Designs and Drawings - Coastal		
C.1	At least 20 working days prior to Commencement of Construction in the CMA (excluding Site Investigations and Enabling Works), the Consent Holder shall submit to the Manager for ~~approval~~ certification the following documentation to be prepared in general accordance with the documents listed in Condition RC.1 and referred to in Condition RC.3: (a) Detailed engineering designs and drawings (including dimensioned cross sections, elevations, site plans of all areas of proposed reclamation, declamation, permanent and temporary structures); (b) A ~~UDLMP~~ ULDMP for the areas of the Project within the CMA which reflects the Key Design Principles and Sector Outcomes of the Project's ULDF for those areas; with the ULDMP to be prepared in consultation with Council and the Mana Whenua Group; and (c) Specifications for the works authorised by this consent.	**April 2017:** Correction to acronym. **June 2017:** Changed to certification, consistent with terminology elsewhere in the consent conditions.
C.1A	All permanent structures within the CMA shall be designed for long-term durability, ease of maintenance access, and to minimise ongoing operation and maintenance requirements.	**June 2017:** New condition added in response to evidence on behalf of Auckland Council and outcomes of expert conferencing on 31 May and 1 June 2017.
Design Details – Reclamation and Boardwalk		
C.1B	The total reclamation area and footprint of permanent occupation in the Māngere Inlet for the road embankment, landscape and amenity features, access, and stormwater treatment areas is not to exceed the area identified in the documents listed in Condition RC.1.	**June 2017:** Original wording of Condition C.3 moved to Clause (a) of this new condition and slightly reworded.
C.1C	The design details for the reclamation, coastal paths and boardwalk shall: (a) Be prepared in consultation with Council and the Mana Whenua Group; (b) Be in general accordance with the drawings listed in Condition RC.1 and referred to in Condition RC.3; (c) Give effect to the ULDMP referred to in Condition C.1(b); (d) ~~Reflect the intended~~ Give effect to the relevant outcomes of the Ecological Management Plan ~~to be~~ prepared in accordance with Condition EM.1; (e) Integrate with the design of the stormwater treatment system developed in accordance with Condition C.1F; (~~e~~f) Be developed as part of an integrated design process which includes input from a range of technical experts to achieve the desired outcomes in Conditions C.1D to C.1F; and (~~f~~g) Include consideration of: i) Crime Prevention Through Environmental Design principles; and ii) Safety in Design requirements.	**June 2017:** New condition added in response to evidence on behalf of Auckland Council and outcomes of expert conferencing on 31 May and 1 June 2017. **July 2017:** Amendment to Clause (d) to give the ECOMP equal prominence to the other matters listed in the condition.. New Clause (e) to include the stormwater design elements.
C.1D	The detailed design of the shape and form of the reclamation shall achieve the following desired outcomes: (a) Integration of the road embankment, landscape and amenity features, access, and stormwater treatment areas in a manner which minimises the required area of	**June 2017:** New condition added in response to evidence on behalf of Auckland Council and outcomes of expert conferencing on 31 May and 1 June 2017.

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Ref	Condition	Reasons for suggested changes
	reclamation, particularly in the area identified in the Auckland Unitary Plan as Significant Ecological Area; (b) A landform profile which incorporates a variety of landscape features in an aesthetically coherent design which: i) References natural features and patterns such as lava flows of the original Mangere Inlet northern shoreline, estuarine wetlands, and scoriaceous gravel banks and beaches; ii) Includes a varied vertical profile to appear as part of the Māngere Inlet, for example, an outer bund (i.e. gravel banks) lower than the EWL Main Alignment, and elevated headlands higher than the EWL Main Alignment; iii) Minimises adverse effects on coastal processes such as water flow patterns or potential for increased sedimentation; iv) Incorporates design refinements to minimise temporary and permanent adverse effects on avifauna; and v) Incorporates opportunities for habitat enhancement and bird roosting areas.	
C.1E	The detailed design of the coastal path on the reclamation and the boardwalk in the CMA shall achieve the following desired outcomes: (a) Enhanced public access to and along the coastal edge for pedestrians and cyclists; (b) Enhanced recreational experience of Māngere Inlet for users of the path and boardwalk including a meandering alignment, varied landscape features and incidents and a sequence of views; (c) Opportunities for pausing and passive recreation adjacent to the path; (d) Contouring of the landforms to provide separation of the coastal path from the EWL Main Alignment, where practicable; (e) Sufficient separation between the boardwalk and EWL Main Alignment to maintain amenity for users of the boardwalk, whilst also seeking to minimise adverse effects on avifauna and encroachment into intertidal areas; (f) Where practicable, design features to achieve aural amenity (such as low walls along the EWL Main Alignment), whilst maintaining visibility to the Māngere Inlet; (g) Regular connections between the coastal path and boardwalk (at approximately 200m intervals tailored to access points across the EWL Main Alignment) to enhance user choice and safety; (h) Discourage public access to parts of the eastern most landform to minimise potential adverse effects on avifauna; and (i) Fit for purpose gradient and surfacing to provide for universal access.	**June 2017:** New condition added in response to evidence on behalf of Auckland Council and outcomes of expert conferencing on 31 May and 1 June 2017.
Design Details – Stormwater System		
C.1F	The Consent Holder shall consult with Council during detailed design of the stormwater treatment system to be located within the reclamation. The design shall be in general accordance with the drawings listed in Condition RC.1 and referred to in Condition RC.3. The ~~detailed~~ design shall take account of the outcomes to be achieved in Condition C.1D and shall achieve the following desired outcomes: ~~(a) Provide best practicable stormwater quality treatment for the contributing catchment, taking account of the outcomes to be achieved in Condition C.1D above;~~	**June 2017:** New condition added in response to evidence of Mr Sunich and Mr Roa on behalf of Auckland Council and outcomes of expert conferencing on 31 May 2017 **July 2017:** Adding reference to the design drawings and other documents in RC.1. This is consistent with the other Conditions in this section.

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Ref	Condition	Reasons for suggested changes
	(a) Achieve an average annual removal efficiency of 75% Total Suspended Solid levels (TSS), unless an alternative TSS removal efficiency is agreed with the Manager. If a higher or lower TSS removal efficiency is proposed, the Consent Holder shall demonstrate that the design provides the best practicable stormwater quality treatment for the contributing catchment, taking account of the outcomes to be achieved in Condition C.1D above and (b) to (i) below; (b) ~~Limit~~Minimise salt water intrusion into the stormwater treatment system; (c) Future proof to enable adaptation to climate change effects including sea level rise; (d) Design of stormwater outfalls to take account of predicted changes in sea bed level; (e) Consistency with desired outcomes of Council's Auckland Stormwater Network Discharge Consent (if granted by the time of detailed design for the Project); (f) Integrate with the design of the reclamation, coastal paths and boardwalk developed in accordance with Condition C.1C; (g) Ability to treat leachate from the Pikes Point Closed Landfill interception drain; and (h) ~~The stormwater treatment system shall be d~~Design~~ed~~ for long-term durability, ease of maintenance access, and to minimise ongoing operation and maintenance requirements.	Deleting original Clause (a) as this is now captured by the new clause (a). New Clause (a) added in response to cross examination of stormwater experts. The condition requires that the stormwater treatment system shall be designed and constructed to achieve an annual removal efficiency of 75% total suspended solid levels. Amendment to Clause (b) to reflect the design philosophy. New Clause (f) added to reference the design outcomes for the reclamation, coastal paths and boardwalk. New Clause (g) added to reference the leachate treatment.
C.1G	A **Stormwater Operation and Maintenance Plan** shall be submitted to the Manager for certification 20 working days prior to commencement of the operation of the stormwater treatment system. The Stormwater Operation and Maintenance Plan shall include, but not be limited to: (a) A commissioning plan for the stormwater treatment system including introduction of leachate from the replacement Pikes Point Closed Landfill interception drain; (b) Details of the person or organisation that will hold responsibility for operation and maintenance of the stormwater treatment system on commissioning and in the long-term, including any processes for changing responsibilities as required; (c) A programme for regular maintenance and inspection of the stormwater treatment system; (d) A programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices; (e) Procedures for post storm inspection and maintenance; (f) A programme for inspection and maintenance of the outfalls; (g) General inspection checklists for all aspects of the stormwater treatment system, including visual checks; and (h) A programme for inspection and maintenance of vegetation associated with the stormwater management devices.	**June 2017:** New condition added in response to evidence of Mr Sunich, Mr Roa and Ms Eldridge on behalf of Auckland Council and outcomes of expert conferencing on 31 May 2017.
C.1H	The Consent Holder shall assess the removal efficiency of the stormwater treatment system to be located within the reclamation for a period of 5 years following Completion of Construction of the reclamation. The purpose of the assessment is to confirm that the stormwater treatment system is performing to the TSS removal efficiency design under Condition C.1F(a). If the assessment indicates a lower level of performance compared to the designed performance, the Consent Holder shall review the Stormwater Operation and Maintenance Plan prepared under Condition C.1G and update the plan to include measures to improve performance to align with the design efficiency.	**July 2017:** New condition to provide for monitoring of the TSS efficiency for the stormwater treatment system within the reclamation.
Temporary Occupation of the CMA ~~and Reclamation~~		

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Ref	Condition	Reasons for suggested changes
C.~~2~~3	The right to temporarily occupy part of the CMA during construction is limited to the areas and structures identified in the documents listed in Condition RC.1.	
~~C.3~~	~~The total reclamation area in the Māngere Inlet (the area above Mean High Water Springs) for the road embankment, stormwater treatment areas and landscape features is limited to the areas and structures identified in the documents listed in Condition RC.1.~~	**June 2017:** Condition deleted and replaced by new Condition C.1A above.
Coastal Works CEMP		
C.4	~~(d)~~(a) Prior to Commencement of Construction in the CMA (excluding Site Investigations and Enabling Works), the Consent Holder shall submit a **Coastal Works CEMP** to the Manager in accordance with the process set out in Condition RC.9 to certify compliance and consistency with the conditions of this consent relating to works in the CMA. ~~(e)~~(b) The purpose of the Coastal Works CEMP is to confirm the proposed methodology for construction works within the CMA and to set out the specific management procedures and construction methods to be undertaken in order to avoid, remedy or mitigate potential adverse effects arising from those works. ~~(f)~~(c) In addition to the details required by Condition RC.11 the Coastal Works CEMP shall include the following information: i) Confirmation of the construction methodology, including: a. The nature of reclamation fill material and the method(s) by which these materials will be deposited; b. The process for demolition and removal of existing structures, including the methodology to minimise discharges to the CMA; ~~b.~~c. Finalised details of the temporary structures in the CMA (e.g. silt fence); ~~c.~~d. Methods to remedy disturbance resulting from the works. ii) Proposed staging of reclamation activities in the Māngere Inlet to minimise exposed areas; iii) Programme of works to minimise the duration of disturbance in the CMA; iv) Erosion and sediment control measures and perimeter controls for foreshore works and bridge construction; ~~iii)~~v) Monitoring of sediment discharges from dredging, declamation and reclamation works; ~~iv)~~vi) Trigger event criteria for undertaking additional monitoring of sediment discharges and the process to review, and if necessary, modify the works methodology where there is an exceedance of the criteria; ~~v)~~vii) Contingency plans in case of unexpected sediment discharges to the CMA during works; ~~vi)~~viii) Site management, including details of: a. Site access; b. Methods to be used to minimise the need for refuelling, maintenance and storage of equipment or machinery in the CMA;	**April 17:** New matter added to Clause (c)(i) to reflect the evidence of Mr Priestley (coastal processes) and consequential renumbering of the matters. Clause (c)(xi) amended to use a defined term. Clause numbering corrected. **June 2017:** Amending Clause (a) to clarify that it is the process set out in RC.9 that applies. Clause (c)(iii) added in response to the evidence of Dr Sivaguru on behalf of Auckland Council. Clause (c)(vi)c added in response to the evidence of Dr Sivaguru on behalf of Auckland Council. Clause (e) amended to link with the Project noise and vibration standards in the designation conditions. **July 2017:** Amendments following further discussions with Auckland Council. Clause iv) shifted, was Clause x). Amendment to Clause vi) to include a process for review of the works methodology.

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Ref	Condition	Reasons for suggested changes
	c. Methods to ensure that barges and equipment used in the CMA is clean and certified as free of invasive species identified by the Ministry of Primary Industries; ~~c.~~d. Procedures for refuelling, maintenance and storage of equipment or machinery in any part of the CMA if this is required, and measures to avoid discharges of contaminants during cleaning, refuelling, and maintenance activities in the CMA; ~~d.~~e. Plant and animal pest management during construction; ~~e.~~f. Methods to achieve compliance with the Project construction noise and vibration standards as set out in Conditions CNV.4 and CNV.5 of the designation; ~~f.~~g. Site clean-up following works completion ~~vii)~~ix) Details of all temporary structures in the CMA and their associated construction methodology including the expected duration of occupation; ~~viii)~~x) Identification of all construction access points to the CMA and along the foreshore; ~~ix)x) Erosion and sediment control measures and perimeter controls for foreshore works and bridge construction;~~ ~~x)~~xi) Details of the quantities, sources and physical (textural and geological) and chemical (bulk chemistry and leaching potential) characteristics of reclamation fill materials; and ~~xi)~~xii) Details of all other practicable steps to be taken to minimise disturbance of the seabed during the ~~c~~Construction Works ~~activities~~. ~~(g)~~(d) The Coastal Works CEMP shall be consistent with the ECOMP prepared under Condition EM.1.	
C.4A	(a) The Consent Holder shall undertake the following enhancement works in the foreshore area adjacent to Orpheus Drive and Onehunga Harbour Road identified in the Auckland Unitary Plan as Outstanding Natural Feature: (i) Remove rubbish, concrete debris and broken disused pipes from the Outstanding Natural Feature ~~foreshore~~; and (ii) To the immediate north of the Aotea Sea Scouts Building remove loose boulders to improve visibility of the intertidal volcanic tuff exposure. (b) The debris removal shall be carried out under the guidance of a Suitably Qualified Person and in a manner which does not compromise the structural integrity of the existing seawall. (c) The methodology for this work shall be described in the Coastal Works CEMP and shall be undertaken in accordance with the relevant Permitted Activity standards in F2.21 of the Proposed Auckland Unitary Plan.	**June 2017** New condition added in response to the evidence of Mr Jamieson for Auckland Council. **July 2017:** Amendment to Clause (a)(i) following further discussion with Auckland Council. Amendment to Clause (b) to respond to cross examination of Mr Ian Smith.
C.5	Where mangrove removal is required, the vegetation shall be removed and disposed of at an approved facility as soon as practicable in order to avoid potential adverse effects arising from decaying vegetation on remaining habitat.	
C.6	The Consent Holder shall notify the Manager in writing of the proposed date of Commencement of Construction in the CMA, at least 20 working days prior to the proposed start date.	

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Ref	Condition	Reasons for suggested changes
C.7	Within 40 days following Completion of Construction in the CMA, the Consent Holder shall remove all erosion and sediment control measures, construction materials and temporary staging from the CMA in accordance with the approved Coastal Works CEMP under Condition C.4.	
Notification – Harbour Master		
C.8	The Consent Holder shall notify the Auckland Harbour Master in writing of the proposed date of Commencement of Construction in the CMA, including dredging operations, at least 20 working days prior to the proposed start date.	
C.9	The Consent Holder shall consult the Auckland Harbour Master in regard to any lighting or navigational aids required for the temporary and/or permanent structures in the CMA.	
Permanent Occupation of the Coastal Marine Area		
C.10	The right to permanently occupy part of the coastal marine area is limited to the areas and structures identified in the documents listed in Condition RC.1.	
As-Built Plans and Survey – Coastal		
C.11	Within three months of Completion of Construction in the CMA, the Consent Holder shall supply a complete set of As-Built Plans to the Manager. The As-Built Plans shall include a location plan, a plan which shows the area of occupation, structure dimensions, and a cross-sections.	
C.12	The Consent Holder shall prepare a survey plan that shows and defines the areas reclaimed, including their location and the position of all boundaries in accordance with the requirements of section 245 of the RMA.	
C.13	In accordance with section 245 of the RMA, the plan of survey shall be submitted to the Manager for approval as soon as reasonably practicable after completion of the reclamation. The plan of survey shall be prepared in accordance with regulations made under the Cadastral Survey Act 2002 relating to survey plans within the meaning of those Regulations.	
C.14	The Consent Holder shall take all steps necessary to ensure the survey plan is deposited under the Land Transfer Act 1952 or with the Registrar General of Land as soon as reasonably practicable after the date the survey plan is approved by the Manager under section 245 of the RMA.	
Maintenance of Structures		
C.15	The structures permitted to occupy part of the CMA by this consent shall be maintained in a good and sound condition, and any repairs that are necessary shall be made, subject to obtaining any necessary resource consents, if required.	**April 17**: Amendment to acknowledge that resource consents may not be required depending on the activity.

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Dredging (D)

Ref	Condition	Reasons for suggested changes
Coastal Works CEMP – Dredging		
D.1	In addition to the matters in Condition C.4, the Coastal Works CEMP shall also include the following matters relating to dredging, filling of dredged channels and placement of dredged material in the CMA: (a) The results of contaminant and ecological surveys undertaken in accordance with Condition D.1A to confirm the location and extent of subtidal dredging; (~~a~~b) Location of the activities; (~~b~~c) Details of equipment and methods to be used; (~~c~~d) Proposed staging of the reclamation to minimise exposed areas; (~~d~~e) Details of proposed quantities of dredged material removed and placed in the CMA, and (~~e~~f) Timing of activities.	**June 2017:** New Clause (a) added in response to the evidence of Mr Cameron for Auckland Council.
D.1A	(a) Prior to commencing subtidal dredging activities, the Consent Holder shall undertake further ecological and contaminant surveys within the general extent of the proposed subtidal dredging area. (b) The surveys shall confirm the location and extent of: i) Asian date mussels beds being areas of lower ecological value; and ii) Areas of contaminated sediment. (c) The surveys will inform the location and extent of the subtidal dredging activities, with the objective being to refine the areas of ~~porposed~~ proposed dredging to target, where practicable, areas of lower ecological value and lower levels of contaminated material. (d) The results of the surveys shall be provided to the Manager.	**June 2017:** New condition added in response to the evidence of Mr Cameron for Auckland Council. **July 2017:** Clause (d) added to require that the result of the surveys are provided to Council. Spelling error corrected.
Monitoring - Water Quality Monitoring for Dredging		
D.2	The Consent Holder shall undertake one-off comprehensive water quality monitoring during the initial phase of the dredging operations. This shall comprise the monitoring of the release of suspended solids from dredging and placement of dredged material in the CMA in order to confirm the mixing zone and proposed trigger level. Water quality samples shall be collected: (a) Prior to (i.e. baseline) and during the operations, for a spring tide and a neap tide. (b) At an updrift control site located approximately within the Māngere Inlet northern channel (for ebb tide) and at least 500 m beyond the operations (for flood tide). (c) At dilution gradient sites 10m, 20m and 50m downdrift of the operations aligned approximately along the centreline of the Māngere Inlet northern channel. (d) At a compliance site 200m downdrift of the operations aligned approximately along the centreline of the Māngere Inlet northern channel.	
D.3	The Consent Holder shall undertake water quality monitoring once per week whilst dredging and placement of dredged material in the CMA is underway.	

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Ref	Condition	Reasons for suggested changes
	Water quality samples shall be collected: (a) On a flood tide; (b) At an updrift control site located at least 500m beyond the operations; (c) At a dilution gradient site 50m downdrift of the operations aligned approximately along the centreline of the Māngere Inlet northern channel; and (d) At a compliance site 200m downdrift of the operations aligned approximately along the centreline of the Māngere Inlet northern channel.	
D.4	During each sampling run carried out in accordance with Conditions D.2 and D.3, records shall be kept of: (a) Sampling date and time; (b) Weather conditions; (c) Sea state; (d) Sampling location; (e) Water depth; (f) Time that dredging and placement of dredged material in the CMA commenced; and (g) Time of low and high tide on day of sampling.	
D.5	Water samples collected in accordance with Conditions D.2 to D.4 shall be individual samples from the surface (approximately 0.5 m below surface) and at depth (approximately 0.5m above the seabed) at each site. With the exception of the baseline monitoring required by Condition D.2(a), water samples shall be collected on a day that dredging is occurring. Dilution gradient and compliance site samples shall be representative of the plume generated by the operations (i.e. not collected before the plume has had a chance to develop upon the start of the operations and not after the plume has had a chance to dissipate upon completion of the operations), and shall be collected as close as practicable to within 2 hours of high tide.	
D.6	Samples shall be analysed for total suspended solid levels (TSS), pH, copper, zinc and arsenic for Condition D.2 and TSS and pH for Condition D.3. Unless amended in accordance with Condition D.8, the proposed trigger levels shall be 25g/m^3 above TSS at the control site for TSS and a pH of 8.5.	**April 2017**: Minor amendments to clarify application.
D.7	Following three months of weekly sampling, and subject to written approval of the Manager, the monitoring programme may be amended, for example compositing of surface and depth samples, and reduction of the frequency (e.g. to fortnightly / monthly).	
Monitoring - Trigger Levels and Contingency Plan for Dredging		
D.8	The Consent Holder shall review the proposed TSS trigger level of 25g/m3 and pH trigger level of 8.5 against the results of the one-off comprehensive monitoring, including comparison of the baseline TSS and pH levels against the TSS and pH levels during dredging . The Consent Holder shall provide a report to the Manager confirming the above trigger level(s) or proposing alternative trigger level(s) with the basis for the alternative(s). The report shall be provided within 20 working days of the receipt by the Consent Holder of the analytical results for the comprehensive water sampling.	

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Ref	Condition	Reasons for suggested changes
	The alternative trigger level(s) may be used for regular monitoring subject to approval in writing by the Manager.	
D.9	During regular monitoring, an exceedance shall be: (a) A TSS level in any sample collected at the compliance site~~s~~ that exceeds the ~~sum of the~~ trigger level plus the TSS level measured in the updrift control sample collected during the same sampling run. The TSS level~~s~~ shall be identified from the analytical results of the water quality samples in accordance with Conditions D.5 and D.6. (b) A pH in any sample collected at the compliance sites that exceeds the pH trigger level. The pH shall be identified from the analytical results of the water quality samples in accordance with Conditions D.5 and D.6.	**April 2017:** Minor amendments to clarify application.
D.10	The Consent Holder shall prepare a Contingency Plan which sets out the actions to be undertaken in the event of an exceedance. These shall include further monitoring measures, in the first instance, or a site specific effects assessment, and practical modifications to the relevant activities~~,~~ where further monitoring identifies repeated exceedances. The Contingency Plan shall be provided to the Manager at least 20 working days prior to the commencement of dredging.	**April 2017:** Amendment to reflect evidence of Dr Priestley.
Aerial Photography for Dredging		
D.11	The Consent Holder shall take aerial photographs of the extent of any plume during the one-off comprehensive water quality monitoring, at the same time as the sampling runs. Aerial photography sites shall be selected to correspond only to those areas where dredging and placement of dredged material in the CMA are occurring, to confirm sediment plume distribution and aid sampling.	
Monitoring – Sediment Deposition during Dredging		
D.12	The Consent Holder shall undertake sediment deposition monitoring in the Māngere Inlet at the locations specified in Table D1. **Table D1: Sediment Deposition Monitoring Locations** Location Reference: A1, Latitude: 36°55'56" S, Longitude: 174°49'34" Location Reference: A2, Latitude: 36°56'32" S, Longitude: 174°49'28"	
D.13	The Consent Holder shall deploy a square plate at least 1m by 1m in size at the monitoring locations specified in Table D1. The plate shall be deployed 6 months prior to the commencement of dredging and placement of dredged material in the CMA. Changes in bed levels shall be assessed by measuring sediment deposition relative to the plate at four evenly spaced points. Measurements shall be made at all four points and averaged to give a single measure for each location. Alternative monitoring techniques may be used subject to written approval by the Manager.	
D.14	Baseline sediment deposition measurements shall be made at the monitoring locations specified in Table D1 at 3-monthly intervals, commencing 6 months prior to the commencement of dredging and placement of dredged material in the CMA.	

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Ref	Condition	Reasons for suggested changes
D.15	Routine sediment deposition measurements shall be made at the monitoring locations specified in Table D1 at 3-monthly intervals, for the duration of dredging and placement of dredged material in the CMA and starting at the commencement of those operations.	
D.16	For post-project monitoring, the sediment deposition measurements shall be repeated as a one-off event 5 years after completion of dredging. The results of this monitoring shall be provided to the Manager.	
D.17	The results of the 5 year sediment deposition monitoring shall be compared with the change in levels of the Māngere Inlet intertidal flats measured using LIDAR. The LIDAR measurements shall be obtained at the commencement of dredging and placement of dredged material in the CMA and 5 years after completion of the Project. The timing of the LIDAR data collection shall coincide with data collected by Auckland Council as far as practicable.	
Monitoring – Reporting for Dredging		
D.18	The Consent Holder shall provide monitoring reports to the Manager as follows: (a) At completion of the one-off comprehensive water quality monitoring as required by Condition D.8; and (b) Every six months for the duration of dredging and placement of dredged material in the CMA for routine water quality monitoring and sediment deposition monitoring.	
Notification of completion		
D.19	The Consent Holder shall notify the Manager in writing of the date of completion of dredging and placement of dredged material in the CMA within 10 working days of completion of the last activity. On completion, the Consent Holder shall provide the Manager with the best available estimate of the in-situ volume of material dredged and the in-situ volume placed in the CMA.	
D.20	The Consent Holder shall undertake monitoring of benthic ecology in subtidal dredging areas, commencing within 6 months of completion of the dredging. The purpose of the monitoring is to provide information on initial successional processes of benthic organisms annually over a five year period. Such monitoring shall include collection of subtidal grab samples within dredged areas, and at control sites, and analysed for benthic invertebrate species diversity and abundance. Results shall be provided to the Manager.	**July 2017:** New Clause (g) to require monitoring of benthic ecology in subtidal dredge areas.

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Ecological Management (EM)

Ref	Condition	Reasons for suggested changes
Ecological Management Plan		
EM.1	(a) The Consent Holder shall submit an **Ecological Management Plan** (ECOMP) to the Manager in accordance with the process set out in Condition RC.9. (b) The purpose of the ECOMP is to set out the specific management procedures, construction methods, mitigation and monitoring to be undertaken in order to achieve the following outcomes: (i) Avoid or minimise the extent of effect on valued ecological and geological areas within the Project site as far as practicable; (ii) Avoid or minimise the extent of effect on the mosaic of lava shrubland, saltmarsh and wetland habitat in Anns Creek East as far as practicable; ~~(ii)~~(iii) Ensure that ~~the~~ valued ecological and geological areas, or parts of those areas, which are to be avoided are clearly delineated (e.g. by secure fencing) to protect them during construction; ~~(iii)~~(iv) For those valued ecological and geological areas which cannot be avoided, but where complete loss of the ~~geological feature,~~ ecosystem, vegetation, habitat, or geological feature is not required, reduce the impact on those areas as far as practicable (e.g. minimising the construction footprint within those areas and placement of construction material outside of those areas); and ~~(iv)~~(v) To avoid, remedy or mitigate potential adverse effects arising from construction activities on terrestrial ecology (including Herpetofauna), freshwater ecology, marine ecology and avifauna. (c) The ECOMP shall be prepared by a ~~s~~Suitably ~~q~~Qualified ~~p~~Person and in collaboration with the development of the Urban Landscape and Design Management Plan to be prepared for the Project by the NZ Transport Agency. ~~(d) The ECOMP shall be prepared in consultation with:~~ ~~i) Council;~~ ~~ii) Department of Conservation;~~ ~~iii) The Mana Whenua Group; and~~ ~~iv) Owners of land in which any ecological mitigation works are proposed to be undertaken.~~	**April 2017:** Amendments to respond to submission by Auckland Council (Submission 126336) and DOC (Submission 126404). This clause specifically refers to the valued area of Anns Creek East and leads into new Condition EM.1A. Text in Clause (b)(iv) deleted as it is a repetition. Consequential renumbering of the clauses. **June 2017:** Amending Clause (a) to clarify that it is the process set out in RC.9 that applies. Clause (d) relocated to form separate condition. **July 2017:** Minor amendment to Clause (c) to reference a defined term.
EM.1AA	~~(d)~~ The ECOMP shall be prepared in consultation with: i) Council; ii) Department of Conservation; iii) The Mana Whenua Group; and iv) Owners of land in which any ecological mitigation works are proposed to be undertaken. Any comments and inputs received from the parties listed above shall be summarised within the ECOMP or supporting document, along with explanation of where any comments or suggestions have, or have not been incorporated and the reasons why.	**June 2017:** Relocated from Condition EM.1 and additional text added to be consistent with similar conditions. July 2017: Minor amendment.

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Ref	Condition	Reasons for suggested changes
EM.1A	In relation to Anns Creek East, the ECOMP shall include the detail of works to be undertaken in and immediately adjacent to the Anns Creek East Construction Restriction Area. The design of Construction Works in that area shall: (a) Align permanent transport infrastructure (road, pedestrian and cycle facilities) to the northern-most extent of the Anns Creek East Construction Restriction Area as far as practicable; (b) Avoid the placement of temporary and permanent piers; (c) Avoid earthworks and vegetation removal that directly impacts on lava shrubland and lava outcrops, and minimise any vegetation alteration; and (d) Minimise the footprint of temporary works required for construction of permanent works. For the avoidance of doubt, only the following activities ~~which~~ may be undertaken within the Anns Creek East Construction Restriction Area: ~~include~~ weed removal, pest plant and animal management, geological heritage restoration, restoration planting, interpretative signage relating to cultural, ecological and geological heritage, protective fencing, and associated earthworks to undertake those activities.	**April 2017:** New condition to reflect post lodgement work for design and construction methodology and to respond to submission by Auckland Council and DOC (Submission 125404). **July 2017:** Amendments following further discussion with Auckland Council.
EM.2A	~~In addition to the details required by Condition RC.11, t~~The ECOMP shall include the following information related to Construction Works: (a) Measures to be undertaken by the Consent Holder to minimise potential adverse effects on the lava shrubland, saltmarsh and wetland habitats in Anns Creek East including: (i) Confirmation of the construction works to be undertaken in the Anns Creek East Construction Restriction Area under Condition EM.1A and how those works will be managed in that area; ~~i) Confirmation of the pier and pier exclusion area and construction exclusion area in Anns Creek East;~~ ii) Measures to clearly delineate the Anns Creek East Construction Restriction Area ~~pier exclusion area and the construction exclusion area~~ on site including protective fencing and signage; iii) Construction procedures and practices that apply to the areas of Anns Creek East that are not within the Anns Creek East Construction Restriction Area ~~pier exclusion area or the construction exclusion area~~, in order to minimise to the extent practicable the removal or alteration of vegetation; and iv) Specific education of staff and contractors to assist their understanding of the ecological and geological sensitivity of the area. (b) Measures to be undertaken by the Consent Holder to minimise potential adverse effects on native fish during works in watercourses. These measures will include ~~including~~ the capture and relocation of native fish where present prior to ~~Commencement of Construction~~ works within the relevant watercourse. (c) Measures proposed to minimise potential adverse effects of construction on b~~B~~anded rail and Australasian ~~B~~bitten including: i) ~~Monitoring~~ Non-intrusive survey of nesting activity within (impact) and adjacent (control) to the Project footprint prior to Commencement of Construction in Anns Creek Estuary and Anns Creek East. This information shall be used to inform the construction programme for works in the vicinity of nesting areas including, where	Amendments to reflect further works since lodgement and respond to submissions as follows: Amendment to the introductory text as there is already a cross reference in Condition RC.12 so this text is not necessary. Amendments to Clause (a) to include the additional valued habitats in Anns Creek. New Clause (a)(i) to reflect the intent of the Construction Restriction Area. Deleting Clause (ii) as this text is now not necessary as the Anns Creek Construction Restriction Area has been defined. Amendment to Clause (a)(ii) and (iii) to refer to the defined Construction Restriction Area. Consequential renumbering of the Clauses in (a). Amendment to Clause (b) to clarify the specific works triggering the requirement. Amendment to Clause (c) to provide further detail on how and where surveys are to occur. Amendment to Clause (d)(iii) to reflect that the possibility of this is uncertain at this stage. Amendment to Clause (d)(v) to clarify that it is only directly affected areas that should be transplanted (not unaffected areas). New Clause (d)(xiii) to respond to a submission by Auckland Council (Submission 216336). Amendments to Clause xvi as this has been incorporated into new Condition EM.13. **June 2017** Condition EM.2 has been split into two conditions to avoid a very long condition, and to differentiate the matters relating to construction methodology and the matters relating to design. Amendments to (c)(iii) to respond to the evidence of Mr Lovegrove for Auckland Council. Relocating Clause (e)(xiii) to sit with construction related matters. Clause (e) added in response to the evidence of Mr Jamieson for Auckland Council.

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Ref	Condition	Reasons for suggested changes
	required, any recommended seasonal restrictions for certain construction activities to minimise the effect on nesting birds; ii) If nesting activity is confirmed adjacent (control) to the Project footprint ~~the area is confirmed as a nesting activity area~~, monitoring of nesting activity for two years following Completion of Construction to determine whether the works have adversely affected nesting activity and inform future assessments of effects for other projects; iii) Specific mechanisms to manage effects on ~~birds~~ banded rail and Australasian bittern during construction works including: • Where practicable, removal of rail and bittern habitat during the non-breeding season; • If rail and bittern are observed, undertake measures to encourage the birds away from the area, and commence vegetation clearance only when the birds have left the area; (d) Measures to implement the Transport Agency's Guidelines for Managing Endangered Dotterels on NZ Transport Agency Projects (dated November ~~October 2016~~) during Construction Works along the Māngere Inlet foreshore; (e) Measures to avoid the addition of soil or other material that might obscure bare remaining lava surfaces in Anns Creek East, Anns Creek West and Anns Creek Estuary; and (f) Procedures for implementing, monitoring and reviewing the measures in (a) – (e) above.	
EM.2B	The ECOMP shall include ~~the following ecological mitigation:(ae) Dd~~etails of restoration and habitat enhancement measures including: (a) Pest plant and animal management across the Project area covering a minimum ~~a total area of approximately~~ of 10ha as identified in map GIS-AEE-EC-001-6-8 (attached to Technical Report 16); (b) Subject to landowner approval, approximately 1.1ha of salt marsh enhancement/recreation and pest plant control at the existing saltmarsh wetland in Gloucester Park South (Te Hopua); (c) ~~Opportunities to include~~ Restoration and recreation of salt marsh along the coastal foreshore and within Anns Creek Estuary where there is appropriate substrate, elevation and hydrodynamic environment; (d) Pest plant control for the remaining basalt lava flows and lava shrubland at Victoria Street and Pikes Point; (e) Transplanting indigenous coastal species (e.g. saltmarsh) and vegetation from lava outcrops directly affected by the Project works where reasonably practicable into coastal restoration areas on the Māngere Inlet foreshore; (f) Identification of any areas in Anns Creek East where fill can be practicably removed from edges of the lava flow and restoration planting undertaken in these areas using eco-sourced local genetic stock and threatened coastal species; (g) Removal of rubbish from Anns Creek East for the duration of the construction works; (h) Removal of pest plant material from lava surfaces at Anns Creek East, Anns Creek West and Anns Creek Estuary; (i) Planting along the foreshore using eco-sourced local genetic stock and threatened coastal species consistent with the Urban Design and Landscape Framework;	**June 2017** Condition EM.2 separated and ecological mitigation matters relocated to this new condition. Clause (a)(xiii) relocated to EM.2A to sit with construction matters. Minor changes to Clause (h). Clause (a)(viii) added in response to the evidence of Mr Jamieson for Auckland Council. Clause (c) added in response to the evidence of Mr Lovegrove for Auckland Council. **July 2017:** Amendment to Clause (a)(i) to specify the area of pest plant and animal management. Amendment to Clause (a)(iii) to require restoration and recreation of salt marsh. Amendment to Clause (a)(x) to remove reference to stormwater ponds. Amendment to Clause (a)(xiii) to reference measure that can enhance instream habitat. Amendment to Clause (a)(xiii) to include the purpose of the raupo wetland planting. Amendment to Clause (a)(xv) to include the purpose of the habitat enhancement at Ngarango Otainui Island. Deletion of Clause (d) as freshwater habitat improvement is already covered at Clause (a)(xiii). Amendment to renumbered Clause (a)(d) to require regular management.

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Ref	Condition	Reasons for suggested changes
	(j) Planting ~~of stormwater wetlands and~~ along the coastal foreshore using coastal plant species; (k) Pest plant management and protection of threatened plant habitats in Anns Creek East and Anns Creek Estuary; (l) Restoration of saltmarsh and riparian vegetation at Ōtāhuhu Creek; (m) Planting of inanga spawning areas along Anns Creek; ~~(a) Measures to implement the Transport Agency's *Guidelines for Managing Endangered Dotterels on NZ Transport Agency Projects*, (dated October 2016) during Construction Works along the Māngere Inlet foreshore;~~ (n) Subject to landowner approval, riparian planting and other measures to enhance instream habitat such as placement of rocks, cobbles and woody debris where appropriate along an 80 metre length of Southdown Stream in Southdown Reserve and 140 metre length of Southdown Stream to the north of Hugo Johnston Drive and along a 90 metre length of Clemow Stream; (o) To offset the loss of raupo habitat within Anns Creek East which provides habitat for *Threatened* and *At Risk* avifauna species (such as Australasian bittern) and subject to landowner approval, create~~ing~~ 280m² of additional raupo wetland within Anns Creek Reserve; and (p) At Ngarango Otainui Island, habitat enhancement ~~including~~ such as pest plant and animal control, planting for bird roosting and erosion stabilisation with a preference for soft engineering solutions, with the detail of those or other measures to be developed in accordance with Condition EM.13. The purpose of the habitat enhancement of the island is primarily to provide long term protection of safe high tide roost sites in the Mangere Inlet post-construction for species such as royal spoonbill, shags and herons.	
EM.2C	The ECOMP shall also include: (a) Details of integration with proposed planting in stormwater management devices (e.g. treatment / conveyance swales) to be undertaken in accordance with Conditions SW.10 to SW.12. (b) Details of measures to discourage or prevent access for pedestrians ~~or~~ and dogs to roosting areas on the eastern most landform of the proposed reclamation foreshore headland in accordance with Condition C.1E(h); ~~(gd) Details of freshwater habitat improvement and riparian planting.~~ (c) Details of how ecological planting will be maintained following initial planting, including as a minimum six monthly pest plant control, release of plantings, and replacement of defective or dead stock. (d) Details of a salt marsh restoration trial within Anns Creek Estuary along the western shore of the Māngere Inlet. ~~including~~ The purpose of the saltmarsh restoration trial is to determine the potential for re-establishment of the natural estuarine vegetation sequence and provide habitat for *Threatened* and *At Risk* avifauna. The trial details shall include: i) The methodology (for example, removal of mangroves from three strips of 30m x 20m adjacent to the coastal edge and replant with oioi at three different bed heights (being the existing bed height, at substrate height 0.25m above existing and 0.5m above existing); ii) The location, area, monitoring and duration of the trials; and	**July 2017:** These clauses were previously part of Condition EM.2B and have now been split out to sit in a separate condition. Clause (b) amendement to align with the description in C.1E(h). Deletion of previous Clause (d) as riparian planting already covered in Condition EM.2B(n). Amendment to Clause (c) to require six monthly management. Amendment to Clause (d) to provide further details of the salt marsh trial including the purpose and methodology.

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Ref	Condition	Reasons for suggested changes
	~~ii~~iii) The process to reinstate the area should the trials be unsuccessful; (e) Procedures for implementing, monitoring and reviewing the mitigation in (a) – (g) above. ~~of the ECOMP~~	
EM.2D	The outcome of the restoration planting mitigation measures as set out in the ECOMP shall achieve the following desired outcomes: a) To manage vegetation to achieve at least 90% cover of native species in ecological restoration areas (excluding areas of lava flow) after five years; b) To manage invasive exotic pest plants to a level where cover is less than 5% within all ecological restoration areas after five years (this relates to Condition EM.2B a) i), ii), iii), iv), viii), ix), x), xi), xii), xiii), xiv), xv) xvi), e) and f)).	**July 2017:** New condition setting out the success measures for vegetation restoration and pest plant management.
EM.2E	The Consent Holder shall implement ~~Details of~~ research (e.g. through scholarships or a specific project) ~~(or similar)~~ which investigate~~sing~~ opportunities to increase scientific knowledge on recolonisation of intertidal soft and hard shore food sources for foraging birds in the Māngere Inlet. The research shall involve: i) Monitoring the recolonisation of intertidal soft and hard shore organisms for a period of at least 12 months within control and treatment plots (assessing survival, percentage cover, species abundance and diversity); and ii) Scientifically testing if transplantation of organisms assists with the rate of community establishment and the biodiversity of that community. The research shall be undertaken in conjunction with a suitable tertiary institution and with supervision from a Suitably Qualified Person. The outcomes of the research shall be provided to Council and the Department of Conservation within 12 months of Completion of Construction and submitted to a relevant scientific journal if appropriate to do so.	**July 2017:** Relocated Condition. Expanded to provide further detail on the type of research.
EM.3	The Consent Holder shall engage a ~~s~~Suitably ~~q~~Qualified ~~p~~Person during Construction Works to advise on day-to-day measures to achieve the outcomes in Condition EM.1(b) and to oversee ecological restoration planting in the areas below to ensure that this is implemented in accordance with best practice: (a) Ecological planting in Gloucester Park South; (b) Landscape ~~P~~planting along the Northern Māngere Inlet; (c) Ecological ~~Restoration~~ planting in Anns Creek Estuary; (d) Ecological ~~Restoration~~ planting Anns Creek East; (e) Ecological ~~Riparian~~ planting at ~~Hill Street Stream,~~ Miami Stream~~,~~ and Clemow Stream; and (f) Ecological ~~Restoration~~ planting at Ōtāhuhu Creek.	**April 2017:** Amendments made to clarify the type of planting. **July 2017:** Hill Street Stream removed as its inclusion was an error – this stream is not freshwater and is an artificial watercourse as defined by the Unitary Plan.
Herpetofauna (Lizards)		
EM.4	Prior to the commencement of vegetation removal for Construction Works in areas identified as potential high and moderate quality habitat in *Technical Report 16: Ecological Impact Assessment* (dated November 2016), the Consent Holder shall provide to the Manager, information from a ~~s~~Suitably ~~q~~Qualified ~~p~~Person that identifies whether there are sufficient numbers of native lizards present within the area to trigger a requirement for a **Lizard Management Plan** (LMP).	

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Ref	Condition	Reasons for suggested changes
	The information submitted shall include the results of a lizard survey undertaken to confirm the presence, or otherwise, of native lizards. The lizard survey shall be based on industry best practice survey methods and shall include all areas identified as potential high and moderate quality habitat within the Project footprint and shall be overseen by a ~~s~~Suitably ~~q~~Qualified ~~p~~Person.	
EM.5	A LMP is required if the lizard survey results in the detection of: (a) 1 or more individuals of a threatened or at-risk native lizard species within the survey area; or (b) 3 or more individuals of a not threatened native lizard species within a survey area as per the New Zealand Threat Classification series 17 *'Conservation Status of New Zealand Reptiles',* dated 2015.	
EM.6	The purpose of the LMP is to achieve the following objectives: (a) The population of each species of native lizard present on the site at which vegetation clearance is to occur is maintained or enhanced, either on the same site or at an appropriate alternative site; and (b) The habitat(s) that lizards are transferred to (either on site or at an alternative site, as the case may be) will support viable native lizard populations for all species present pre-development. The LMP shall be prepared by a ~~s~~Suitably ~~q~~Qualified ~~p~~Person and shall address the following (where relevant): (a) Timing of implementation of the LMP; (b) A description of methodology for survey, trapping and relocation of lizards rescued including but not limited to: salvage protocols, relocation protocols (including method used to identify suitable relocation site(s)), nocturnal and diurnal capture protocols, supervised habitat clearance/transfer protocols, artificial cover object protocols, and opportunistic relocation protocols; (c) A description of the relocation site(s); including discussion of: • provision for additional refugia, if required e.g. depositing salvaged logs, wood or debris for newly released native skinks that have been rescued; • any protection mechanisms (if required) to ensure the relocation site is maintained (e.g.) covenants, consent notices etc.; and • any pest plant and animal management to ensure the relocation site is maintained as appropriate habitat. (d) Monitoring methods, including but not limited to: baseline lizard surveys within the affected site (pre-translocation survey), surveys to identify potential translocation release sites, monitoring to evaluate translocation success (post-translocation monitoring), and monitoring of any pest control; and (e) A post-vegetation clearance search for remaining lizards.	
EM.7	If a LMP is required under Condition EM.4, this shall be submitted to the Manager for certification in accordance with Condition RC.9 prior to the commencement of any vegetation removal in areas of potential high and moderate quality.	
	Advice note:	

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Ref	Condition	Reasons for suggested changes
	The capture, handling and relocation of native lizards may require a Wildlife Permit under the Wildlife Act 1953.	
Anns Creek Replacement Salt Marsh		
EM.8	(a) At completion of the salt marsh trials undertaken in accordance with Condition EM.2C(d~~h~~) the Consent Holder shall provide a report to the Manager setting out the outcomes of the trial. (b) If the salt marsh trials are ~~is~~ successful, the Consent Holder shall: (~~a~~i) Provide the Manager with a confirmed methodology and location of the recreated saltmarsh covering an area of approximately 10,000m^2 (or as otherwise agreed with the Council); and (~~b~~ii) Undertake annual monitoring and maintenance ~~in~~ (including pest plant control and planting) of the ~~recreated~~ planted saltmarsh ~~(including weed control and planting)~~ for a period of 5 years ~~from~~ after planting ~~of the saltmarsh~~, or until 90% cover of indigenous saltmarsh vegetation has established and <5% cover of pest plants is achieved. (~~c~~iii) Should the saltmarsh trials not be successful, the Consent Holder shall consult with the Manager to identify and implement an alternative and equivalent mitigation or offset measure.	**July 2017:** Further details of how monitoring and maintenance will be measured and what should happen if the saltmarsh is not successful.
Anns Creek East Management ~~Plan~~ Area		**April 17:** Correction to clarify that the conditions apply to the area rather than a management plan
EM.9	The Consent Holder shall use its best endeavours to establish and facilitate a working group to identify proposed measures for long term integrated environmental management of the Anns Creek East area, being the area in the immediate vicinity of Section 1 SO 69440 at Anns Creek East.	
EM.10	The following parties shall be invited to participate in the working group: (a) The owners of land in the Anns Creek East area; (b) Department of Conservation; (c) Auckland Council; (d) Auckland Transport; (e) KiwiRail; and (f) The Mana Whenua Group.	
EM.11	The purpose of the **Anns Creek Working Group** is, in relation to the Anns Creek East area, to: (a) Identify opportunities to integrate mitigation works associated with the Project with any other environmental enhancement activities being undertaken on land or in the CMA adjoining the boundary of the Project site; (b) Identify opportunities to provide long term integrated environmental management and legal protection of mitigation works associated with the Project and adjacent high value habitat including plant habitats and the mosaic of lava, saltmarsh and freshwater ecosystems; and (c) Identify the mechanisms to deliver the opportunities identified in (b) above.	

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Ref	Condition	Reasons for suggested changes
EM.12	The Consent Holder shall provide a report to the Manager on the activities and outcomes of the working group, including any agreed measures for long term integrated environmental management, within 12 months of Commencement of Works, and a further progress report on the implementation of those measures within 24 months of Commencement of Works.	
Ngarango Otainui Island		**April 2017:** New heading
EM.13	In relation to Ngarango Otainui Island, the Consent Holder shall engage with Department of Conservation, Council and Mana Whenua to: (a) Develop outcomes for long-term integrated ecological management of the island; (b) Undertaken site investigations to characterise habitat type and to identify ecological issues and opportunities for restoration and habitat enhancement; and (c) Prepare and implement an ecological management strategy and plan with outcomes, responsibilities, ~~and~~ timeframes for implementation, and ongoing annual management and monitoring.	**April 2017:** New condition to reflect the Crown ownership of the Island and respond to the submission by DOC (Submission 125404). **July 2017:** Requirement for annual management and monitoring.
Ecological offsets - Avifauna		
EM.14A	(a) In order to partially offset the adverse effects of the Project on avifauna values, the Consent Holder shall use reasonable endeavours to achieve statutory protection of: (i) An existing wading bird high tide roost within the Manukau Harbour – e.g. Puhinui, Kidds, Karaka or Clarks Beach shell banks; and (ii) An existing high tide roost within the Mangere Inlet and Ngarango Otainui Island. (b) This statutory protection may include, for example, classification of the high tide roost as a conservation area under the Conservation Act 1987, or as a wildlife sanctuary or wildlife refuge under the Wildlife Act 1953. (c) The Consent Holder shall consult with the Department of Conservation, Council and the Mana Whenua Group regarding the method of statutory protection and location of the high tide roosts to be protected, and shall use reasonable endeavours to confirm both the method of protection and the locations of the high tide roosts to be protected, within 12 months of Commencement of Construction. (d) The Consent Holder shall offer to the Department of Conservation to contribute towards its costs to apply for the appropriate statutory protection for the high tide roosts. The value of that contribution shall be agreed between the Consent Holder and the Department of Conservation.	**June 2017:** New condition added to reflect the EIC of Dr Bull, Dr De Luca and Ms Hopkins and to reflect the outcomes of Ecological Conferencing and consultation/collaboration with DOC experts.
EM.14B	(a) In order to partially offset the adverse effects of the Project on avifauna values, the Consent Holder shall take reasonable steps to construct a suitable single purpose high tide wading bird roost in Mangere Inlet. (b) The Consent Holder shall consult with the Department of Conservation, Council and the Mana Whenua Group regarding the location and design of the high tide roost to be constructed. (c) Subject to obtaining any necessary property rights and resource consents, the Consent Holder shall construct the high tide roost as part of the Construction Works, and maintain the high tide roost in a suitable state of repair for five years following the Completion of Construction.	**June 2017:** New condition added to reflect the EIC of Dr Bull, Dr De Luca and Ms Hopkins and to reflect the outcomes of Ecological Conferencing and consultation/collaboration with DOC experts.

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Ref	Condition	Reasons for suggested changes
EM.14C	In order to partially offset the adverse effects of the Project on avifauna values, the Consent Holder shall, within one month of the Commencement of Construction, offer to the Department of Conservation to contribute towards its management programmes at South Island ~~wading bird~~ breeding sites along the major braided rivers (e.g. Rakaia and Waiau), of avifauna species affected by the Project. The value of that contribution shall be agreed between the Consent Holder and the Department of Conservation. The contribution will be sufficient to support pest control over a river length of at least 20km (or equivalent), continuing for the entire EWL construction period plus five years after the Completion of Construction.	**June 2017:** New condition added to reflect the EIC of Dr Bull, Dr De Luca and Ms Hopkins and to reflect the outcomes of Ecological Conferencing and consultation/collaboration with DOC experts. **July 2017:** Additional details of offset added following further discussion with DOC.

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Works in Watercourses (W)

Ref	Condition	Reasons for suggested changes
Construction Design Approval		
WW.1	At least 20 working days prior to commencement of streamworks within ~~Hill Street Stream,~~ Southdown Stream, Anns Creek, Clemow Stream and Miami Stream, the Consent Holder shall submit construction design details for stream realignment and installation of culverts or other structures within watercourses to the Manager for approval. The details shall include, but not be limited to: (a) Detailed design of the proposed streamworks including long sections and cross sections, proposed riparian planting, and any other proposed freshwater habitat improvements; and (b) Erosion and sediment control in accordance with WW.5.	**July 2017:** Hill Street Stream removed as its inclusion was an error – this stream is not freshwater and is an artificial watercourse as defined by the Unitary Plan.
Construction of Streamworks		
WW.2	The Consent Holder shall forward a detailed streamworks construction programme and methodology to the Manager for approval at least 10 working days prior to the commencement of those streamworks, and shall provide regular updates during the streamworks. The information provided shall include details of: (a) The commencement date and expected duration of the streamworks; (b) The location of any works and structures in relation to the streamworks; (c) Procedures for the capture and relocation of fish associated with temporary and permanent stream diversions; and (d) Dates for the implementation of erosion and sediment controls.	
WW.3	Once approved under Condition WW.2, any material amendments to the streamworks construction programme and methodology shall be submitted to the Manager for approval prior to any amendment being implemented.	
WW.4	Streamworks shall be carried out only during periods when all flows, up to the 24 hour 20 year return period storm event, can be diverted around the area of works. During periods of flow greater than the capacity of the diversion, up to the 100 year flood event, a stabilised flowpath shall be provided to ensure no scour or erosion occurs and so that flows can pass safely around or through the area of works with minimum nuisance, damage and sediment generation or discharge.	
WW.5	All erosion and sediment controls associated with the streamworks shall be constructed and installed in accordance with Auckland Council's GD2016/005: Erosion Sediment Control Guide for Land Disturbing Activities in the Auckland Region.	
WW.6	The Consent Holder shall ensure that any temporary dam structure built within the stream shall be constructed from non-erodible material (such as sandbags or sheet piles).	

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Ref	Condition	Reasons for suggested changes
WW.7	The Consent Holder shall ensure that when dewatering the in-stream works area, no sediment-laden water shall be discharged directly into a watercourse. Any sediment-laden water must be treated in an appropriate sediment treatment device in accordance with Auckland Council's *GD2016/005: Erosion Sediment Control Guide for Land Disturbing Activities in the Auckland Region*.	
WW.8	All machinery shall be maintained and operated in a way which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing.	
WW.9	Within three months of completion of the works, the Consent Holder shall submit to the Manager As-Built Plans certified by an ~~s~~Suitably ~~q~~Qualified ~~p~~Person to confirm that the works have been carried out in accordance with the approved design under Condition WW.1.	
WW.10	The Consent Holder shall implement the riparian planting approved under Condition WW.1 within 12 months of Completion of Construction.	

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Groundwater and Settlement (G)

Ref	Condition	Reasons for suggested changes
Groundwater and Settlement Management Plan		
G.1	A **Groundwater and Settlement Management Plan (GSMP)** shall be prepared by a ~~s~~Suitably ~~q~~Qualified ~~p~~Person and submitted to the Manager for certification in accordance with the process set out in Condition RC.9 prior to Commencement of Construction with potential groundwater and settlement effects. The purpose of the GSMP is to outline the measures to be adopted to monitor and respond to any changes in groundwater beyond the boundary of the Project site arising from construction activities. The GSMP shall incorporate the matters in Conditions G.2 to G.7 including: (a) Details of groundwater monitoring including: i) A schedule of groundwater monitoring bores identifying piezometer depth and geological unit; ii) Details of final bore construction and piezometer installation; iii) The location of the groundwater monitoring bores and monitoring cross sections; iv) The methods and frequency of groundwater level and groundwater quality monitoring; v) The groundwater trigger levels (level and quality); and vi) Procedures to follow in the event of trigger levels being exceeded. (b) Details for ground settlement monitoring including: i) The predicted total estimated settlement and building damage categories; ii) A schedule of ground settlement monitoring markers confirmed in Condition G.5; iii) The methods and frequency of ground settlement monitoring; iv) Alert and alarm levels where Alert = 75% of the theoretical or agreed level and Alarm = 100% of the theoretical or agreed value with due consideration of the seasonal range of ground movement and tidal influence of groundwater identified by pre-construction monitoring; and v) Procedures to follow in the event of trigger levels being exceeded. (c) Reporting requirements.	**July 2017:** Amendment to clarify that it is the process set out in RC.9 that applies.
G.1A	The Consent Holder shall install a borehole to a depth of 0.5 m below the planned depth of the proposed stormwater pipeline on the site at 19-21 Sylvia Park Road (Lot 1 DP 65735) to confirm the nature of the fill and the depth to groundwater. If groundwater is encountered, the hole shall be completed with a standpipe piezometer and groundwater level monitored in the borehole during construction of the stormwater pipeline within the site.	**July 2017:** New condition in response to legal submissions of Stratex.
G.2	The Consent Holder shall monitor groundwater levels and quality in the groundwater monitoring bores confirmed in Condition G.1 and keep records of the water level measurement and corresponding date. Where exceedances occur these shall be reported to the Manager within 3 working days.	
G.3	All monitoring data obtained in accordance with Condition G.2 shall be compared to the predicted groundwater level for each borehole. Where groundwater levels are exceeded, the	

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Ref	Condition	Reasons for suggested changes
	appropriate actions as set out in the GSMP shall be undertaken and the Manager shall be notified advising of the exceedance and details of the action taken.	
Groundwater Level Monitoring		
G.4	(a) The Consent Holder shall install and maintain groundwater level monitoring boreholes for a period starting at least 6 months prior to Commencement of Construction and concluding 6 months following Completion of Construction. (b) As a minimum the groundwater monitoring boreholes shall include sites: i) Upgradient and down gradient of the EWL Trench adjacent to Onehunga Harbour Road; ii) Upgradient of the EWL embankment at the Galway Street closed landfill; and iii) Within the Waikaraka Cemetery.	
Settlement Monitoring		
G.5	The Consent Holder shall establish a series of ground settlement monitoring markers to monitor potential settlement in relation to the construction of the EWL Trench. The survey markers shall be located generally as follows subject to agreement of the owners of land in which the survey markers are proposed to be located: iv) Along the EWL Trench out to a maximum of 40m either side of the trench from the centreline; v) On or around the following buildings or features: i) The Landing at 2 Onehunga Harbour Road; ii) The residential building(s) at 2 Onehunga Harbour Road; and iii) The building at 6 Onehunga Harbour Road vi) The location of the markers shall be confirmed in the GSMP. vii) The location of markers may be updated to reflect detailed analysis and interpretation of monitoring results as construction works progress. Any changes shall be included in the GSMP.	
G.6	The Consent Holder shall survey the settlement monitoring markers at the following frequency: (a) At monthly intervals starting at least 12 months prior to excavation of the EWL Trench; (b) At 3 monthly intervals following completion of excavation of the EWL Trench for a period of 6 months. For the purpose of this condition, excavation of the EWL Trench is complete when the permanent wall supports are in place.	
G.7	If the ground settlement alert or alarm levels in Condition G.1(b)(iv) are exceeded, the trigger marker shall be resurveyed within 24 hours. If the resurvey indicates that a building has increased its damage category from that confirmed in the GSMP, then this shall be considered to be an Alert Level and additional specific assessment of the building shall be carried out by the Consent Holder to confirm this resurvey within 72 hours. If the additional assessment following resurvey confirms the increase in damage category, this shall be considered to be an Alarm Level and the property owner and occupier(s) will be notified within 48 hours. Following consultation with the property owner and occupier(s); subsequent actions may include increased frequency and/or extent of monitoring, modification	

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Ref	Condition	Reasons for suggested changes
	to the construction methodology or mitigation works to the affected building (subject to building owner approval and any additional statutory approvals required).	

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Air Quality (AQ)

Ref	Condition	Reasons for suggested changes
AQ.1	~~The Consent Holder shall avoid, as far as practicable, dust, offensive or objectionable odour and fumes arising from construction activities at any point beyond the boundary of the Project site that borders a highly sensitive receiver or air pollution sensitive land use.~~ Beyond the boundary of the Project site there shall be no dust, particulate, smoke, ash or fume caused by discharges from the Project site that, in the opinion of the Manager or a nominated ~~an~~ enforcement officer is the cause of a noxious, dangerous, offensive or objectionable effect.	**April 2017:** Amendment to respond to the submission by Mercury Ltd (#126377). **June 2017:** Replacement of condition in response to the evidence of Mr Crimmins for Auckland Council. **June 2017:** Adding reference to the Auckland Council Manger for compliance matters.
Construction Air Quality Management Plan		
AQ.2	As part of the CEMP prepared in accordance with Condition RC.10, the Consent Holder shall prepare a **Construction Air Quality Management Plan** (CAQMP) to meet Condition AQ.1. The CAQMP shall outline the measures to be adopted to avoid, as far as practicable, the effects of dust, offensive or objectionable odour and fumes arising from construction activities beyond the boundary of the Project site that borders a highly sensitive receiver or air pollution sensitive land use. The CAQMP shall, as a minimum, address the following: (a) Description of the works, anticipated equipment/ processes and durations; (b) Periods of time when emissions of odour, dust or fumes might arise from construction activities; (c) Identification of air pollution sensitive land uses likely to be adversely affected by emissions of odour, dust or fumes from construction activities; (d) Methods for mitigating dust that may arise from construction site exits used by trucks, potentially including the use of vacuum sweeping, water sprays or wheel washes for trucks; (e) Methods for mitigating odour that may arise from ground disturbing construction activities; (f) Methods for maintaining and operating construction equipment and vehicles in order to manage visual emissions of smoke from exhaust tailpipes (g) Methods for undertaking and reporting on the results of daily inspections of construction activities that might give rise to odour, dust or fumes; (h) Methods for monitoring and reporting on the state of air quality during construction, including Total Suspended Particulate, wind speed, wind direction, air temperature and rainfall; (i) Procedures for maintaining contact with stakeholders, notifying of proposed construction activities and handling complaints about odour, dust or fumes; (j) Construction operator training procedures; ~~and~~ (k) Contact numbers for key construction staff, staff responsible for managing air quality during construction and Council officers~~.~~; and (l) Identification of contingency measures to address verified effects on property in the event of a process malfunction or an accidental dust discharge.	**April 2017:** Amendments to respond to the submission by Mercury Ltd (Submission 126377).
AQ.3	The CAQMP shall be prepared in general accordance with the guidance contained in the *Good Practice Guide for Assessing and Managing Dust, Ministry for Environment, 2016* and the *Good*	

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Ref	Condition	Reasons for suggested changes
	Practice Guide for Assessing and Managing Odour, Ministry for Environment, 2016 and shall be implemented throughout the entire construction period of the Project.	
AQ.4	The Consent Holder shall undertake all works in accordance with the CAQMP for the duration of Construction Works.	

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Storage and Manufacture of Concrete (CB)

Ref	Condition	Reasons for suggested changes
CB.1	The Consent Holder shall ensure that beyond the boundary of the Project site there shall be no discharges, including hazardous air pollutants, dust or visible emissions, caused by the operation of the concrete batching plant that, in the opinion of the Manager or nominated enforcement officer, are noxious, dangerous, offensive or objectionable or does or could cause adverse effects on human health, the environment or property.	**June 2017:** Amendment of condition in response to the evidence of Mr Crimmins for Auckland Council.
CB.2	Air displaced from the Concrete Batching Plant during silo filling or concrete batching shall be vented to atmosphere via filter units designed to have a maximum particulate discharge concentration of no greater than 30 mg/m^3. Supplier information regarding the filters shall be kept on site to confirm compliance with this specification.	
CB.3	Each cement silo on site shall be fitted with a high fill alarm that shall be adequately maintained and be operating whenever bulk cement is being transferred into that silo. In the event of the alarm operating, filling into that silo shall cease immediately and shall not be resumed until the cause has been located and remedied.	
CB.4	The Concrete Batching Plant shall be operated with the associated emission control equipment being fully operational and functioning correctly.	
CB.5	All ducting and emission control equipment shall be maintained in good condition and as far as practicable be free from leaks in order to prevent the escape of fugitive emissions.	
CB.6	The Consent Holder shall undertake visual assessments of the filter units and dust emissions at least once per operating day while the Concrete Batching Plant is in use.	
CB.7	The Consent Holder shall record information regarding air discharges and the filter units, including: (a) Any maintenance or repairs; (b) Bag replacement details; (c) Any malfunction or breakdown of the plant leading to abnormal air discharges; and (d) Daily visual assessments of the filter units and dust emissions.	

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Leachate (L)

Ref	Condition	Reasons for suggested changes
L.1	(a) The Consent Holder shall undertake further assessment and if necessary, soil and groundwater investigations in the area of uncontrolled fill between the Pikes Point West and Pikes Point East Closed Landfills (Lot 1 DP135209), for the following purposes: (i) To characterise the nature of the fill materials; and (ii) To inform the design of leachate infrastructure. (b) The results of the investigations shall be provided to and discussed with the landowner and occupier and provided to the Manager.	**June 2017:** Condition added in response to outcomes of Expert Conferencing Joint Witness Statement – Closed Landfills, dated 25 May 2017.
L.~~1~~2	The Consent Holder shall monitor leachate from the replacement Pikes Point Closed Landfill interception drain at the location where collected leachate is discharged via the piped network to the stormwater system. The monitoring shall include: (a) Continuous monitoring of leachate flow for a period of 24 months following commissioning; (b) Monthly sampling of leachate for a period of 24 months following commissioning of the stormwater system. The samples shall be analysed for total ammoniacal nitrogen (NH4N) and the result compared with a trigger level; (c) The trigger level NH4N concentration will be derived from the Australian and New Zealand Environmental Conservation Council, *Australian Guidelines for Fresh and Marine Waters*, 2000 (ANZECC 2000) marine water quality guideline, 90% level of protection (1.2 mg/L) allowing for reasonable mixing in the receiving water and treatment in the stormwater wetland/biofiltration system; (d) If the trigger level is exceeded on two consecutive monitoring events, then the leachate flow will be redirected to trade waste until further monitoring for at least two monthly monitoring events measures NH4N concentrations below the trigger level; (e) If there are no trigger level exceedances over the 24 month period then leachate quality monitoring shall be discontinued; and (f) In the event of trigger level exceedance(s), the monthly monitoring shall be extended for no less than 6 months from the date of the last exceedance. The results of the leachate monitoring shall be provided to the Manager in an annual report submitted by February of each year, or an alternative date as agreed with the Manager.	
~~L.2~~	~~Where the Construction Works require the removal of existing Auckland Council closed landfill groundwater monitoring bores, the Consent Holder shall relocate the monitoring bores in consultation with Council and shall provide access to the Council or its agent to the relocated .~~ ~~Access to Council closed landfill groundwater monitoring bores shall be provided for the duration of Construction Works.~~	**April 2017:** Amended to respond to the submission from Auckland Council (Submission 126336). **June 2017:** Condition relocated to become CL.9 so that is it attached to the land use consent.

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Stormwater and Impervious Surfaces (SW)

Ref	Condition	Reasons for suggested changes
Stormwater Design		
SW.1	The Consent Holder shall design the stormwater management devices and systems in general accordance with the stormwater drawings referred to in Condition RC.1. The Consent Holder may make modifications to the stormwater management devices and systems shown on those drawings, including the use of alternative Council approved stormwater management devices, provided that the equivalent performance and compliance as set out in Table SW.1 is achieved.	
SW.2	The stormwater management devices shall be designed and constructed to achieve the design requirements as set out in Table SW1: **Table SW1: Design requirements**	**April 17:** The column with "*Total Out-of-Project catchment area to be treated*" has been removed from the table as these areas are outside the scope of the discharge consent sought by the Transport Agency (i.e. the consent only covers stormwater discharges from the new impervious surfaces created by the EWL Project and a section of SH1 between Mt Wellington and Princes Street).
SW.3	The Consent Holder shall ensure that the design of stormwater management devices does not result in any increase of flooding levels greater than 50mm within areas immediately adjacent to the Project or the downstream receiving environment.	

Project Catchment	Receiving Environment	Design Requirements		
		Total Project Road Area (upgraded and new) to be treated (ha)	**~~Total Out-of-Project catchment area to be treated (ha)~~**	**Peak flow attenuation to pre-development flow rates at the receiving environment (with climate change adjustment to 2121)**
Wharangi Street to Galway Street	Mankuau Harbour	9.4ha to 75% TSS removal	~~1.7ha to 75% TSS removal~~	Not required
Galway Street to Anns Creek Viaducts	Māngere Inlet	12.2ha to 75% TSS removal	~~611ha to 75% TSS removal or BPO~~	Not required
Anns Creek Viaducts to Hugo Johnston Drive	Southdown Wetland Reserve	1.9ha to 75% TSS removal	~~0.6ha to 75% TSS removal~~	2 year ARI 10 year ARI 100 year ARI
Hugo Johnston Drive to SH1 Mt Wellington	Anns Creek	8.3ha to 75% TSS removal	~~8.7ha to 75% TSS removal~~	Not required
SH1 Mt Wellington to Panama Road	Clemow Stream	7.0ha to 75% TSS removal	~~2.7ha to 75% TSS removal~~	Not required
Panama Road to Princes Street	Ōtāhuhu Creek	4.9ha to 75% TSS removal	~~6.5ha to 75% TSS removal~~	Not required
Princes Street to southern extent of Project	Tributary of the Tamaki River	3.8ha to 75% TSS removal	~~2.1ha to 75% TSS removal~~	2 year ARI 10 year ARI 100 year ARI

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Ref	Condition	Reasons for suggested changes
SW.4	The design of stormwater outfalls shall include erosion prevention devices to minimise the occurrence of bed scour and bank erosion in receiving environments.	
SW.5	Where existing stormwater management devices are proposed to be removed, the equivalent treatment, detention and attenuation shall be provided in the proposed stormwater management devices.	
Design approval – permanent stormwater system		
SW.6	At least 20 working days prior to construction of the proposed stormwater management devices for impervious surfaces of the State highway and local roads, the Consent Holder shall submit a design report, including detailed engineering drawings, specifications, and calculations for the stormwater management devices. The details shall include, but not be limited to, the following:CT (a) Confirmation that the design achieves the requirements of SW.1 and SW.2; (b) Contributing catchment size and impervious percentage; (c) Specific design and location of stormwater systems, including pond spillways; (d) Specific outlet erosion protection design; (e) Supporting calculations, including sizing capacity of stormwater system(s) suspended solid removal efficiency calculations, flow attenuation calculations and identified overland flow paths for the 1% Annual (AEP); (f) Catchment boundaries for the stormwater treatment devices; (g) Details of construction method of stormwater system(s) including timing and duration; (h) Proposed planting within stormwater management devices; and (i) Monitoring and maintenance schedules.	
SW.7	The design report prepared under Condition SW.6 shall be submitted to the Manager, and written approval from the Manager shall be obtained prior to the construction of the stormwater management devices.	
SW.8	Any amendments that may affect the performance of the stormwater systems approved under Condition SW.6 shall be approved by the Manager prior to the planned implementation of the amendments.	
SW.9	Stormwater management devices or systems must be fully operational prior to the discharge of water from the impervious area.	
Planting		
SW.10	The Consent Holder shall submit planting plan(s) for the all planted stormwater management devices (including treatment / conveyance swales) to the Manager for approval at least 20 working days prior to construction of the stormwater devices. The planting plans shall be consistent with the ~~UDLMP~~ ULDMP prepared in accordance with Condition LV.1 and the ECOMP prepared in accordance with Condition EM.1.	**April 17:** Amendment to include cross reference to the ECOMP Correction to acronym.
SW.11	The planting plan(s) required by Condition SW.6 shall include, but not be limited to, the following:	

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Ref	Condition	Reasons for suggested changes
	(a) Location, planting methodology and maintenance details; (b) Details of plant species, plant numbers, density and distribution; and (c) Details of proposed pest plant management.	
SW.12	All planting of stormwater management devices (including treatment / conveyance swales) shall be undertaken in accordance with the approved planting plan(s).	
As-Built Plans – Stormwater System		
SW.13	The Consent Holder shall supply As-Built Plans for the stormwater management devices to the Manager within 30 working days of the practical completion of the stormwater management devices.	
SW.14	The As-Built Plans shall be signed off by a Chartered Engineer and include but not be limited to:- (a) The surveyed locations and elevations of all stormwater structures, which shall be measured to the nearest 0.1 metre with co-ordinates expressed in terms of the New Zealand Transverse Mercator Projection and DOSLI datum; (b) Stormwater management device details including locations, dimensions, volumes, flood levels, sections, treatment efficiencies, inlet, discharge rates and outlet structures; (c) Photographs at all stormwater systems outfall locations; and (d) Documentation of any discrepancies between the approved design plans under Condition SW.6 and the As-Built Plans.	
Stormwater Operation and Maintenance Plan		
SW.15	A **Stormwater Operation and Maintenance Plan** shall be submitted to the Manager for certification 20 working days prior to commencement of the operation of the stormwater management system. The Stormwater Operation and Maintenance Plan shall include, but not be limited to: (a) Details of the person or organisation that will hold responsibility for long-term maintenance of the stormwater management system; (b) A programme for regular maintenance and inspection of the stormwater management system; (c) A programme for the collection and disposal of debris and sediment collected by the stormwater management devices or practices; (d) Procedures for post storm inspection and maintenance; (e) A programme for inspection and maintenance of the outfalls; (f) General inspection checklists for all aspects of the stormwater management system, including visual checks; (g) A programme for inspection and maintenance of vegetation associated with the stormwater management devices; and (h) A requirement to retain records of all inspections and maintenance for the stormwater management system, for the preceding three years.	

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Ref	Condition	Reasons for suggested changes
SW.16	The Consent Holder shall ensure that the stormwater systems are managed in accordance with the Stormwater Operation and Maintenance Plan.	
SW.17	Any material amendments or alterations to the approved Stormwater Operation and Maintenance Plan shall be submitted to the Manager in writing for certification at least 20 working days prior to implementation.	

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